

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUDGET JUSTIFICATIONS, F. Y. 1984**



**BUREAU OF INDIAN AFFAIRS**

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Budget Justification, Fiscal Year 1984  
Congressional Submission

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DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

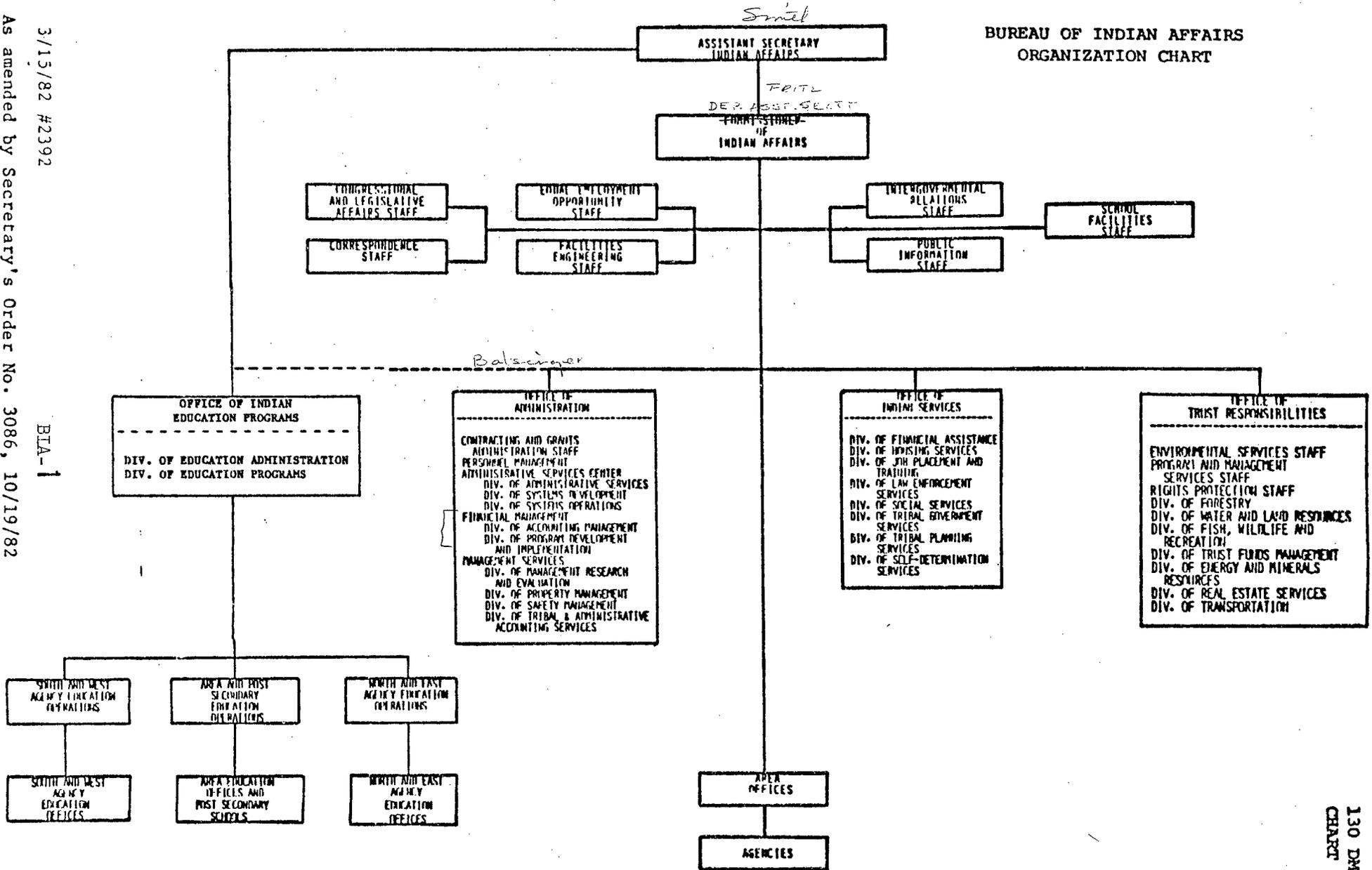
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BUREAU OF INDIAN AFFAIRS  
ORGANIZATION CHART

3/15/82 #2392  
As amended by Secretary's Order No. 3086, 10/19/82  
BIA-1



GENERAL STATEMENT

The Bureau of Indian Affairs was created in the War Department in 1824 and in 1849 was transferred to the Department of the Interior. The history of the relationship between Indian tribes and the U.S. Government reveals that the mission of the BIA was founded on a government-to-government relationship and the trust responsibility. The Bureau, therefore, as an agent of the U.S. Government, recognizes a fundamental responsibility to American Indian tribes, Alaska Native groups, and the tribal form of government. The Bureau's mission is presently viewed as three-fold: (1) to recognize and preserve the inherent rights of tribal self-government, to strengthen tribal capacity for self-government, and to provide resources for tribal government programs; (2) to protect the rights of Indian people in dealing with other governmental entities and the private sector; and (3) to fulfill and execute the Federal Government's responsibility for trust resources and property.

The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provided substantive law for appropriations covering the activities of the Bureau of Indian Affairs. The scope and character of the authorizations contained in this Act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 948; 25 U.S.C. 461 et seq.); by the Indian Self-Determination and Education Assistance Act of 1975 (188 Stat. 2203; 25 U.S.C. 450); by amendments to Title XI of the Elementary and Secondary Education Amendments Act of 1978 (P.L. 95-561); by the Indian Child Welfare Act of 1978 (P.L. 95-608); and the Tribally Controlled Community College Assistance Act of 1978 (P.L. 95-471, as amended).

The following summary provides a comparison between the 1983 appropriations to date and the 1984 request (dollar amounts in thousands):

<u>Appropriation</u>	<u>FY 1983 Appropriation to Date</u>	<u>FY 1984 Estimate</u>	<u>Inc.(+) or Dec.(-)</u>	<u>Permanent Employment 12/31/82</u>
<u>Federal Funds:</u>				
Operation of Indian Programs.....\$	843,508	841,515	-1,993	
(FTE-T)	(14,135)	(13,688)	(-447)	11,345
Construction.....\$	67,250	55,875	-11,375	
(FTE-T)	(87)	(87)	(--)	71
Road Construction.....\$	43,585	4,000 *	-39,585 *	
(FTE-T)	(665)	(60)	(-605)	403
Sub-Total, Appropriations				
Requested.....\$	954,343	901,390	-52,953	
(FTE-T)	(14,887)	(13,835)	(1,052)	11,819
<u>Permanent and Trust Funds:</u>				
Miscellaneous Permanents.....\$	34,000	34,000	--	
(FTE-T)	(497)	(497)	(--)	446
Trust Funds.....\$	492,015	484,215	-7,800	
(FTE-T)	(23)	(23)	(--)	15
Budget Authority, <u>Total BIA</u> .....\$	1,480,358	1,419,605	-60,753	
(FTE-T)	(15,407)	(14,355)	(-1,052)	12,280

\* This reduction is offset by the new road construction program funded from the Highway Trust Fund by the Department of Transportation (\$100 million).

Highlights of 1984 Request

This budget request permits progress in achieving the Bureau mission within available resources. The planned achievements are directed toward greater self-determination and economic self-reliance for tribes and individual Indians. They include a significant departure from the traditional Bureau budget which primarily supported a reliance on continuing Federal support in dealing with Indians. In effect, this budget encourages and contributes to Indian self-reliance and self-government rather than reliance on the Federal Government in sustaining the livelihood of tribes and Indians. It supports this concept without jeopardizing those responsibilities to Indians which are inherent in the Bureau's stated mission.

The tribal priority system has been used in the development of the FY 1984 budget to provide continued opportunities for tribal governments to participate in the Federal budget process. Tribal priorities are reflected in this budget to the maximum extent. The input from the tribes was both by tribe/agency location and program basis. The FY 1984 request for the tribe/agency portion reflects offsetting increases and decreases in various programs due to changes in priority ranking by tribes. An analysis of the Operation of Indian Programs appropriation by location is reflected in the table below (in thousands of dollars):

	<u>1982 Actual</u>	<u>1983 Est.</u>	<u>1984 Est.</u>
Direct program:			
Tribe/Agency Operations.....	238,393	270,190	277,224
Area Direct Operations.....	52,174	32,503	26,604
Central Office Staff Operations.....	29,342	29,101	26,258
Field Program Operations.....	<u>508,663</u>	<u>519,183</u>	<u>511,429</u>
Total direct program.....	828,572	850,977	841,515
Reimbursable program (total).....	<u>47,875</u>	<u>47,000</u>	<u>47,000</u>
Total program.....	876,447	897,977	888,515

The Tribe/Agency Operations are those programs operated at the Agency level in which tribes formally participate in setting funding priorities. In FY 1983 and FY 1984 the amounts shown also include all Area Field Operations funding since these programs, even though operated at the Area Office level, provide direct services to the reservation or tribal level. The programs for Tribe/ Agency Operations include housing, law enforcement, social services, economic and natural resources development and other activities similar to those conducted by a state or local government.

Central and Area Office Direct Operations represent funding for technical support, program management, executive direction, and administrative services at those organizational levels.

Field Program Operations include portions of programs such as education, facilities management, rights protection, and welfare which are either the unique responsibility of the Bureau because of its special relationship to Indians and Indian tribes or for which priorities are established nationally rather than at the local level. These programs are primarily executed at the field (reservation) level.

Special Note: The FY 1983 and FY 1984 amounts shown for Central and Area Office Direct Operations and Tribe/Agency Operations include the effects of a proposed general overhead cost reduction of \$8.0 million in FY 1983, annualized at \$17.4 million in FY 1984. A base transfer of \$2.0 million for unemployment compensation payments has also been applied in FY 1984. A tentative distribution of \$8.4 million at Area Offices, \$5.3 million at the Central Office, \$0.8 million at Tribe/Agency, \$2.2 million for Area Field Operations, \$0.8 million for Facilities Management (GSA Rentals) and \$1.9 million in Education Field Program Operations has been used in the FY 1984 amounts.

The changes between the 1983 appropriation to date and the FY 1984 request are highlighted below by appropriation and activity:

Operation of Indian Programs:

Indian Education \$249.1 Million

In FY 1984 \$249.1 million is requested for Indian Education. The request is a net decrease of \$15.0 million which includes decreases of \$2.1 million in School Operations, \$9.5 million in Johnson O'Malley Education Assistance, and \$3.3 million in Continuing Education. The School Operations reduction primarily reflects the elimination of the Interim Formula Implementation Fund, a substantial reduction in the School Board Training Fund, and the savings expected from the tentatively proposed closure of several off-reservation boarding schools and the transfer of Alaska day schools. These reductions are offset by the provision of funds in FY 1984 for the Federal employee pay raise which was effective October 1, 1982.

The reduction in Johnson O'Malley (JOM) is reflected because there are no funds in the FY 1984 request for the special funds for Alaska school transfers appropriated in FY 1983, which remains available to be expended in subsequent years to accomplish the transfer of all Bureau schools in Alaska to the State. The tuition payments were eliminated, and there is a slight offsetting increase in All Other JOM.

The decrease in Continuing Education is primarily in Higher Education Scholarship Grants and in Post Secondary Schools with the tentative proposal for operation of the Southwestern Indian Polytechnic Institute (SIPI) under the Adult Vocational Training program in FY 1984. This proposal is contingent upon the recommendations of a Congressionally mandated task force whose report is due by March 31, 1983.

Indian Services \$242.9 Million

In FY 1984 \$242.9 million is requested for Indian Services activities, which is a net increase of \$1.8 million over the FY 1983 appropriation to date.

A Tribal Government Services program of \$23.5 million reflects a net decrease of \$1.9 million, which includes reductions of \$1.1 million for the Agriculture Extension program, \$0.4 million for All Other Aid to Tribal Governments, \$0.5 million for new tribes, \$0.2 million for tribal courts; and increases of \$0.2 million in Community Services, General and \$0.1 million for Community Fire Protection.

A Social Service request of \$98.6 million reflects a net decrease of \$1.5 million which includes an increase of \$0.5 million for Welfare Assistance Grants and a decrease of \$2.0 million in the Indian Child Welfare Act program.

A Housing program request of \$22.1 million reflects a net decrease of \$1.2 million, which includes decreases of \$1.0 million for the Housing Training activity which is not continued in FY 1984 and \$0.2 million under the remaining Housing program.

The Self-Determination Services request of \$60.2 million represents an increase of \$7.4 million. Included are increases of \$3.4 million for Contract Support, \$2.4 million for Self-Determination Grants, and \$2.5 million for the Small Tribes Initiative which will be accelerated in FY 1984. A decrease of \$0.9 million is proposed for central/area office operations.

The Law Enforcement request of \$34.5 reflects a \$1.2 million decrease which includes a reduction of \$1.0 million for the Special Law Enforcement activity which is not continued in FY 1984 and \$0.2 million for other reductions.

The Navajo-Hopi Settlement Program request is \$4.0 million to continue operations at the FY 1983 level.

#### Economic Development and Employment Programs \$65.5 Million

The FY 1984 request is a net increase of \$6.2 million. The FY 1984 request includes an increase of \$5.0 million to provide for continuation at the planned level of the Bureau's special economic development initiative.

Also included is a request of \$1.3 million for a Special Adult Vocational Training (AVT) program at the Southwestern Indian Polytechnic Institute (SIPI). The \$1.3 million is tentatively proposed to assist Indian students continuing to attend training at the SIPI campus contingent upon the outcome from the recommendations of a Congressionally mandated task force which are due March 31, 1983.

#### Natural Resources Development \$89.3 Million

The Natural Resources Development request represents a net increase of \$5.0 million. This increase includes \$0.7 million for Agriculture, \$1.0 million for Forestry, \$2.8 million for Wildlife and Parks, and \$2.3 million for Irrigation O&M.

A decrease of \$1.4 million is proposed in the Minerals and Mining program. Other decreases of \$0.2 million each are reflected in the Natural Resources, General and Water Resources programs. These changes are primarily a result of the tribal priority setting process. The changes indicate efforts to improve tribal economies through other natural resource enhancements.

#### Trust Responsibilities \$44.0 Million

The Trust Responsibilities request represents a net decrease of \$2.0 million. The decrease of \$0.7 million in Real Estate and Financial Trust Services is primarily for the lease compliance activity. The net decrease of \$1.3 million in Indian Rights Protection includes reductions of \$2.5 million in the Statute of Limitations program and \$0.5 million in the Alaska National Interest Lands Conservation Act (ANILCA) programs; and includes increases of \$0.9 million for the Unresolved Indian Rights Issues program (which contains \$1.0 million to support the Indian Claims Limitation Act of 1982), and \$0.8 million for all other activities. The request will sustain a satisfactory level of activity to meet trust requirements.

#### Facilities Management \$88.9 Million

The FY 1984 request represents a \$10,000 increase over the FY 1983 appropriations to date. There are some significant internal changes. Facilities, General is decreased by \$0.8 million, based on a determination that less GSA space will be leased in FY 1984 as a result of implementation of the Bureau-wide overhead reduction. Facilities Operation and Maintenance will be increased by \$1.5 million from the base transfer of Facilities Construction Operation and Maintenance (FACCOM, et.al.) programs from Construction Program Management under the General Administration activity; will be decreased by \$6.1 million because of school closures and transfers; and will receive program increases of \$4.1 million for the remaining facilities. In addition, area office operations are reduced \$0.6 million.

#### General Administration \$61.8 Million

The FY 1984 General Administration program request includes \$49.4 million to provide for management and administration of the Bureau; \$6.8 million for employee compensation and unemployment compensation payments to the Department of Labor; and \$5.5 million for program management of the construction, road construction, and education programs. The request represents a net increase of \$2.1 million which includes increases of \$0.7 million for a new staff function titled 638 Oversight/Cost Determination; \$2.1 million for Executive Direction and Administrative Services at the Tribe/Agency level; \$2.2 million for Employment Compensation and Unemployment Compensation reimbursements to the Department of Labor; \$1.1 million for Intra-Government Assessments; and decreases of \$1.5 million for the transfer of FACCOM, et.al. to Facilities Management; and \$2.5 million in general reductions throughout the programs.

#### Construction:

##### Construction (Buildings and Utilities) \$50.6 Million

The FY 1984 request represents a net increase of \$2.2 million. The request includes \$14.5 million for the Hopi Junior/Senior High School which is an increase of \$12.1 million to allow for the completion of the academic portion of the facility. There is no funding for Advance Planning & Design nor for Non-Education Projects. Facility Improvement & Repair is funded at \$36.0 million, a decrease of \$8.4 million, which is considered adequate to conduct a program with diminishing space requirements, specifically those associated with school closures and transfers.

##### Irrigation Construction \$5.3 Million

The FY 1984 request for Irrigation Construction includes funding of \$1.0 million to complete the Fallon Project, Nevada, which is the same level as FY 1983. It contains an amount of \$1.0 million for Surveys and Design, which was not funded in FY 1983. Funding is requested at a \$1.2 million level for the Dam Safety program, a decrease of \$1.9 million from the FY 1983 level. There are no funds being requested in FY 1984 for other Irrigation Projects. An amount of \$2.1 million is being requested for Engineering and Supervision in FY 1984, which is \$0.1 million above the FY 1983 request (for Federal employee pay cost).

## Road Construction:

The FY 1984 request of \$4.0 million represents a decrease of \$39.6 million from this appropriation. However, this decrease is more than offset by other funding from the Highway Trust Fund. The decrease covers roads construction project costs which will be funded through contract authority allocated from the Highway Trust Fund under the Federal Lands Highway Program of the Department of Transportation. Funding from this program is authorized at \$75.0 million in 1983 and \$100.0 million in 1984. The proposed program will allow the Bureau to greatly expand its efforts to rehabilitate the transportation network which serves programs for better education, health, job access, agriculture and commercial development. The \$4.0 million request covers engineering and construction management services primarily at the area levels.

## Emphasis in 1984

The major emphasis in FY 1984, as stated above, will be to enhance tribal capabilities for self-government and self-reliance. The following proposed actions are planned to support this emphasis.

### Tribal Contracting of Bureau Programs

Contract support funds are substantially increased to encourage tribes to take over operation of BIA "local" programs. Increased activity in this area will enhance the tribes' capability to plan and operate programs to best meet tribally identified priorities and needs. Tribal operation of programs will lessen the bureaucratic and paternalistic influences which are often prevalent when these programs are Federally operated.

### Consolidated Tribal Government Programs (CTGP)

In FY 1982, the Bureau of Indian Affairs, in accord with Administration policy and Congressional approval, initiated a prototype block-funding project intended to provide tribes greater self-determination in the operation of Indian programs.

This program began as a part of the Administration's budget initiative for FY 1982 when the Bureau proposed a consolidation of ten program functions into a new activity entitled Consolidated Tribal Governmental Programs (CTGP). The proposal was based on giving each tribe the option of selecting, within an overall budget, the funding amounts and types of programs the tribe would operate during the budget year. Consolidated funds would then be distributed to tribes based on individual tribal decisions regarding the program mix to be operated.

While Congress, in its budget review, suggested further study of the CTGP concept, the Administration was given approval to conduct a pilot project in each of the Bureau's twelve geographical areas. Consequently, the Bureau completed a detailed review of the CTGP concept and conducted initial consultation with tribes on the basic concept. Within this framework, the Bureau initiated action to implement a CTGP prototype project in FY 1982 and individual tribal CTGP prototype projects began in mid-1982. The prototype effort is being extended to additional tribes at their request in FY 1983. Based upon the experience obtained through the prototype projects, recommendations will be made in FY 1984 regarding the future use of the CTGP operating mode.

### 638 Oversight/Cost Determination

A special work force, headquartered in Washington, with specialists duty stationed in the field, will be activated in FY 1984 to strengthen and improve P.L. 93-638 contract and grant administration. Specific guidelines and procedures will be maintained so that problem areas can be provided immediate attention. The group's efforts will specifically address oversight and monitoring:

- of fiscal accountability and control of contract support expenditures;
- of proper and prompt preparation and submission of expenditure documents by tribes to meet Federal regulatory requirements;
- of field managerial and program activity to insure proper administration of contract/grant programs;
- to identify potential problem areas and to expedite remedial action;
- to provide highly visible support to field management in the resolution of difficult problems; and
- to improve the determination and negotiation of reasonable and allowable direct and/or indirect costs under P.L. 93-638 contracts and/or grants.

### Special Initiatives for Tribal Development

The special economic development & small tribes initiatives will be continued and expanded in FY 1984. The economic development initiative encourages development of tribal economies with less Federal assistance and more dependence on the private sector for entrepreneurship and capital outlays. The small tribes initiative provides funds to small tribes for developing a "core management" capability to assist them in economic development and to carry out their governmental activities.

### Indian Education Programs

A major effort in FY 1984 involves the provision of education services as dictated by P.L. 95-561. Our current efforts are to complete the standards and to begin the process of bringing the Bureau's school system into compliance. We have not proposed any changes in the ISEF program in FY 1984 except for proposed school closures or transfers. These include the closure of Mt. Edgumbe, and the tentatively proposed closure of Intermountain, Concho, and Wahpeton boarding schools after the 1982-1983 school term, and the proposed transfer of 10 more day schools to the State of Alaska during FY 1983, with the remaining 10 day schools expected to be transferred in FY 1984.

### 638 Pay Cost

The FY 1984 request includes \$ 3.0 million to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Section 106(h) of P.L. 93-638. Since Section 106(h) requires the Secretary to provide an equivalent amount of funding to tribal contractors as if the Bureau had continued to operate the program, it is appropriate to request "638 Pay Cost" to maintain existing operating levels for contracted programs. These funds will be added to the current program amounts of the contracted programs in the same manner that Federal employee pay raise allowances for the October 1, 1982 Federal pay raise are added to Bureau operated programs. While the Federal pay cost amounts are treated as an adjustment to the 1984 base, the "638 Pay Cost" amounts have been displayed as increases to the programs. Where these tribal contractor employee pay costs are part of programs displayed as Tribe/Agency Operations for which tribes have set the program priorities, a separate line item has been included for display of the "638 Pay Cost" amounts.

### Management Improvements and Cost Reductions

In FY 1984, we will continue the effort to improve and streamline management and administration at the Area and Central offices. Changes being made in these activities are primarily those required to fulfill the mandates of P.L. 93-638 and P.L. 95-561. Because the changes affect the very core of BIA operations, we intend to make them in a deliberate and planned manner. These changes are, in fact, some of the most significant in the Bureau's 150 year history. They are aimed at changing the Bureau from an institution which operates programs to one which facilitates tribal operation of programs. To be successful, they must be in accord with the plans and schedules established by the Assistant Secretary.

The FY 1984 request for Operation of Indian Programs contains an overhead cost reduction effort of \$17.4 million. This amount includes the \$8.0 million identified for the Bureau in the FY 1983 Appropriation Act and a \$9.4 million amount for annualization of the 1983 reduction in the FY 1984 budget request. Of this amount, \$16.6 million is distributed to central/area offices, education and area/agency technical support offices, and \$0.8 million is applied as a reduction in GSA space rentals related to the overhead reduction.

The overhead reduction will not affect the level of dollars for direct services to Indians. Further, the program and location distributions of the overhead reduction, in their entirety, are tentative, pending final decisions on current initiatives to improve the cost effectiveness of Bureau management and support functions.

### Unemployment Compensation Payments

A \$2.0 million base transfer from all programs and locations, Bureau-wide, is included to cover a \$2.0 million request under the General Administration activity to pay for the estimated cost of FY 1984 unemployment compensation payments to the Department of Labor. Prior to FY 1984 these costs were absorbed within each program and were not budgeted for as a separate line item.

Appropriation Summary Statement

Appropriation: Operation of Indian Programs

The Operation of Indian Programs appropriation consists of a wide range of services to provide the American Indian with the opportunity to live in prosperity, dignity and honor. Special emphasis is placed on tribal participation and involvement in attaining these goals. Activities that provide these services are:

1. Education - The Bureau of Indian Affairs provides various types of support for the education of Indian children, through direct operation of schools, support of tribally operated schools, and financial assistance to public schools serving Indian children. As part of a continuing cooperative effort between the Bureau and the State of Alaska to establish a single system of education, the final 10 day schools will be transferred to the State at the end of FY 1984. The number of children attending Federal, tribal, and public schools nationwide is shown below:

	<u>Actual</u> <u>FY 1982</u>	<u>Estimate</u> <u>FY 1983</u>	<u>Estimate</u> <u>FY 1984</u>
Number of pupils:			
Federal and tribal schools.....	42,594	42,321	41,540
Public schools.....	165,988	170,030 <u>a/</u>	172,000 <u>a/</u>

a/ Subsequent to completion of the Appendix to the FY 1984 President's Budget, these more accurate estimates for 1983 and 1984 were compiled. Prior estimates were: FY 1983 = 168,000; FY 1984 = 170,000.

The Bureau also assists Indian adults by providing financial assistance to students for higher education studies, by direct support of some tribally operated post-secondary institutions, and by offering continuing education programs in many communities. The number of participants in these programs is indicated in the following table:

	<u>Actual</u> <u>FY 1982</u>	<u>Estimate</u> <u>FY 1983</u>	<u>Estimate</u> <u>FY 1984</u>
Continuing Education participants:			
Higher Education scholarships.....	16,800	17,000	17,895
Adult Education enrollment.....	13,859	12,891	11,763

2. Indian Services - This activity includes municipal-type government services for Indian communities, such as, welfare, housing and law enforcement; along with assistance to tribes in self-government and self-determination projects. The Small Tribes Management Initiative, started in 1983, provides eligible small tribes (1,500 or less population) with financial assistance for core management capability. Also, the responsibilities associated with the Navajo-Hopi settlement are included in this activity. Data are presented below on selected aspects of this activity.

	<u>Actual</u> <u>FY 1982</u>	<u>Estimate</u> <u>FY 1983</u>	<u>Estimate</u> <u>FY 1984</u>
Social Services caseloads:			
General assistance.....	62,482	63,392	64,969
Child welfare.....	3,185	3,385	3,385

3. Economic Development and Employment Programs: This activity is designed to stimulate reservation economies, and to help Indian people participate fully in those economies. Business enterprise development is encouraged and assisted through programs of technical and financial aid, with emphasis on enterprises owned and operated by Indian individuals and organizations. An economic development grant program provides conditional grants to Indian tribes for the purposes of (1) initiating business development of natural resources; (2) encouraging non-Federal investment; and (3) promoting sound business principles. Indian tribal organizations and individuals are assisted with securing and managing loans for resource and business enterprise development, housing, public utility facilities, education, and other purposes. Individual Indians are assisted in qualifying for, finding and occupying jobs on and near reservations consistent with their needs, capabilities, and desires. Roads are maintained to provide for the movement of people and goods as needed for the well-being of the community.

4. Natural Resources Development: This activity is designed to provide for the protection, management, development, and utilization of Indian land, water, minerals, fisheries and related resources. Activities include surveys, inventories, reservation development plans, natural resource information systems, timber sales, forest improvements, fire protection, soil conservation, energy and mineral resources development, water claims studies and negotiations, and irrigation project operation and maintenance.

5. Trust Responsibilities: Under this activity the Bureau's trust responsibilities for the Indian people are carried out. This entails the protection of Indian rights and property, particularly those related to land and natural resources; environmental and archeological clearance services; real estate services; lease compliance; boundary surveys; land records maintenance; financial trust services and investments; and the management of assets held in trust for Indian tribes and individuals.

6. Facilities Management: This activity provides for maintenance and operation of Bureau facilities and the provision of GSA owned or leased facilities.

7. General Administration: Provides overall direction and management of Bureau programs. These functions include executive direction, administrative services, safety management, employee compensation payments, construction management, road construction management and education program management.

Reimbursable Programs are provided primarily for the operation, maintenance and repair of Federally-owned quarters financed by payroll deductions from employees occupying such quarters; programs funded by other Federal agencies; operation of the North Star III shipping operations in Alaska and for miscellaneous goods and services provided to others.

The total appropriation requested for 1984 is \$841,515,000 a net decrease of \$8,435,000 compared to the 1984 base program. Program decreases include Education \$17.0 million; Trust Responsibilities \$2.2 million; and Facilities Management \$1.3 million. Program increases include Indian Services \$1.6 million; Economic Development \$3.6 million; Natural Resources Development \$3.6 million; and General Administration \$3.3 million. An overall general reduction in FY 1984 of \$17.4 million (annualization of \$8.0 million contained in the 1983 appropriation) has been distributed to all activities. This distribution has been applied to the 1984 base program. It is tentative and subject to change when final decisions have been reached concerning cost effective improvements in management at all levels of the Bureau. A base transfer of \$2.0 million is also proposed to provide funds under the General Administration activity for unemployment compensation paid to former Bureau employees.

APPROPRIATION LANGUAGE

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) of care, tuition assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order and payment of rewards for information or evidence concerning violations of law on Indian reservation lands or treaty fishing rights tribal use areas; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field of the Bureau of Indian Affairs, including such expenses in field offices [\$843,508,000 of which \$9,350,000 shall be available until expended for transfer to the State of Alaska to assist in the basic operation and maintenance of Bureau-owned schools which are transferred to the State, such sum to be in addition to assistance otherwise available under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.) or any other Act to such schools on the same basis as other public schools.] \$841,515,000 and of which not to exceed [\$55,278,000] \$53,735,000 for higher education scholarships and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, [1984] 1985, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.) shall remain available until September 30, [1984] 1985: Provided, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs; and includes expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531, [\$3,899,000] \$3,951,000, to remain available until expended: Provided further, That none of these funds shall be expended as matching funds for programs funded under section 103(a)(1)(B)(iii) of the Vocational Education Act of 1963, as amended (20 U.S.C. 2303(a)(1)(B)(iii) by the Act of June 3, 1977, (Public Law 95-40:) Provided further, That notwithstanding the provisions of section 6 of said Act of April 16, 1934, as added by section 202 of the Indian Education Assistance Act (88 Stat. 2213, 2214; 25 U.S.C. 457) funds appropriated pursuant to this or any other Act for fiscal years ending September 30 of [1982] 1983 and [1983] 1984 may be utilized to reimburse school districts for up to the full per capita cost of educating Indian students (1) who are normally residents of the State in which such school districts are located but do not normally reside in such districts, and (2) who are residing in Federal boarding facilities for the purpose of attending public schools within such districts; in addition, moneys received by grant to the Bureau of Indian Affairs from other Federal agencies to carry out various programs for elementary and secondary education, handicapped programs, bilingual education, and other specific programs shall be deposited into this account and remain available as otherwise provided by law. (7 U.S.C. 1651-56; 16 U.S.C. 583, 590a-590f, 594; 25 U.S.C. 13, 305-309, 309a, 318a, 381, 385, 631-640, 1481-1498; 48 U.S.C. 169,250-250f; 29 Stat. 321; 33 Stat. 189, 595, 1048; 34 Stat. 70, 558, 1013; 36 Stat. 269, 855; 38 Stat 582; 45 Stat. 1562, 1639; 48 Stat. 362; 49 Stat. 887; 52 Stat. 80, 707; 88 Stat. 2203; 92 Stat. 1325, 2143, 3069; 94 Stat. 929-936; Public Law 97-394, making appropriations for the Department of the Interior and Related Agencies, 1983).

BUREAU OF INDIAN AFFAIRS  
Summary of Requirements  
(Dollar amounts in thousands)

Appropriation: Operation of Indian Programs

	<u>FTE-Total</u>	<u>Amount</u>	<u>FTE-Total</u>	<u>Amount</u>
<u>Summary of adjustments to base and built-in changes:</u>				
Appropriation enacted to date.....			14,135	\$843,508
Adjustments to base and built-in changes:				
Adjustment for 1983 pay increase:				
Anticipated FY 1983 pay increase supplemental.....		7,469		
Amount of FY 1983 pay increase to be absorbed.....		4,640		
Total cost in FY 1983 of pay increase.....		<u>12,109</u>		
Adjustment for full-year cost of 1983 pay increase and FTE changes.....		<u>-907</u>		
Total adjustment for 1983 pay increase.....	--	+11,202		
Transfers:				
Transfer from U.S. Fish & Wildlife Service.....	+21	+913		
Internal Transfers as follows:				
Transfer Area Field Operations to Tribe/Agency				
Operations distribution.....		+14,308		
Transfer SIPI from Continuing Educ. to Employment Dev... Transfer Natural Resources Central Office Staff funding to Trust Responsibilities.....		<u>+2,260</u>		
Transfer FACCOM, et.al. from Program Mgmt. to Facilities Management.....		<u>+138</u>		
Management.....		<u>+1,500</u>		
Net effect of internal transfers.....	--	--		
Other Increases:				
Employee Compensation Fund.....	--	+247		
Medicare Tax.....	--	3,480		
Unemployment compensation payments in FY 1984.....	--	+2,000		
Other Decreases:				
One less workday in FY 1984 (Offset against Unemploy. Comp.).....	--	-1,070		
General reduction for Unemployment Compensation in excess of savings due to one less workday.....	--	-930		
Annualization of 1983 general overhead reduction.....	<u>-175</u>	<u>-9,400</u>		
Subtotal, adjustments to base and built-in changes.....			-154	+ 6,442
<u>1984 Base Budget</u> .....			<u>13,981</u>	<u>\$849,950</u>
Program changes (changes to base budget detailed below).....			-293	-8,435
<u>Total Requirements (1984 Estimate)</u> .....			<u>13,688</u>	<u>\$841,515</u>

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Summary of Requirements - Continued  
(Dollar amounts in thousands)

<u>Comparison by activity/subactivity:</u>	<u>1982 Approp.</u>		<u>1983 Approp.</u>		<u>1984 Base</u>		<u>1984 Estimate</u>		<u>Inc.(+)/Dec.(-) from 1984 Base</u>	
	<u>FTE/T</u>	<u>Amount</u>	<u>FTE/T</u>	<u>Amount</u>	<u>FTE/T</u>	<u>Amount</u>	<u>FTE/T</u>	<u>Amount</u>	<u>FTE/T</u>	<u>Amount</u>
<b>Education:</b>										
School Operations.....	5,124	\$176,106	5,432	\$177,075	5,447	\$180,965	5,255	\$174,947	-192	\$-6,018
Johnson O'Malley Educ. Asst.	---	37,054	-0-	35,579	-0-	35,579	-0-	26,000	-0-	-9,579
Continuing Education.....	357	52,446	275	51,451	194	49,475	194	48,121	-0-	-1,354
Subtotal.....	5,481	\$265,606	5,707	\$264,105	5,641	\$266,019	5,449	\$249,068	-192	\$-16,951
<b>Indian Services:</b>										
Tribal Government Services..	204	23,789	179	25,473	175	25,372	175	23,534	-0-	-1,838
Social Services.....	294	95,801	358	100,002	358	100,072	358	98,609	-0-	-1,463
Law Enforcement.....	567	32,515	463	35,697	459	35,713	459	34,521	-0-	-1,192
Housing.....	92	29,810	84	23,233	84	23,268	84	22,068	-0-	-1,200
Self-Determination Services.	94	49,222	37	52,822	37	52,865	37	60,198	-0-	+7,333
Navajo-Hopi Settlement.....	45	4,178	75	3,899	75	3,945	75	3,951	-0-	+6
Subtotal.....	1,296	\$235,315	1,196	\$241,126	1,188	\$241,235	1,188	\$242,881	-0-	\$+1,646
<b>Econ.Dev. &amp; Employ. Programs:</b>										
Employment Development.....	204	27,120	152	27,429	202	29,768	152	27,641	-50	-2,127
Business Enterprise Develop.	165	8,136	176	10,854	173	10,851	173	15,543	-0-	+4,692
Road Maintenance.....	392	17,628	370	21,037	370	21,301	370	22,351	-0-	+1,050
Subtotal.....	761	\$52,884	698	\$59,320	745	\$61,920	695	\$65,535	-50	\$+3,615
<b>Natural Resources Development:</b>										
Forestry & Agriculture.....	1,303	71,165	1,287	69,360	1,299	70,754	1,299	73,415	-0-	+2,661
Minerals, Mining, Irrigation and Power.....	33	13,578	43	14,981	43	14,991	43	15,881	-0-	+890
Subtotal.....	1,336	\$84,743	1,330	\$84,341	1,342	\$85,745	1,342	\$89,296	-0-	\$+3,551
<b>Trust Responsibilities:</b>										
Indian Rights Protection....	121	18,516	82	17,634	82	17,657	82	16,323	-0-	-1,334
Real Estate & Financial Trust Services.....	809	27,350	728	28,405	724	28,639	712	27,719	-12	-920
Subtotal.....	930	\$45,866	810	\$46,039	806	\$46,296	794	\$44,042	-12	\$-2,254
Facilities Management.....	1,522	\$83,380	1,610	\$88,900	1,596	90,221	1,539	88,910	-57	\$-1,311

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Summary of Requirements - Continued  
(Dollar amounts in thousands)

Comparison by activity/subactivity:	1982 Approp.		1983 Approp.		1984 Base		1984 Estimate		Inc.(+)/Dec.(-) from 1984 Base	
	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount	FTE/T	Amount
General Administration:										
Management and Administration	1,554	52,267	1,518	47,854	1,405	46,165	1,423	49,434	+18	+3,269
Employee Comp. Payments.....	---	4,161	-0-	4,582	-0-	6,829	-0-	6,829	-0-	-0-
Program Management.....	170	4,350	144	7,241	136	5,520	136	5,520	-0-	-0-
Subtotal.....	<u>1,724</u>	<u>\$60,778</u>	<u>1,662</u>	<u>\$59,677</u>	<u>1,541</u>	<u>\$58,514</u>	<u>1,559</u>	<u>\$61,783</u>	+18	\$+3,269
Total Direct Programs (TOTAL APPROPRIATIONS).....	<u>13,050</u>	<u>\$828,572</u>	<u>13,013</u>	<u>\$843,508</u>	<u>12,859</u>	<u>\$849,950</u>	<u>12,566</u>	<u>\$841,515</u>	-293	\$-8,435
Reimbursable Programs (All)...	<u>940</u>	<u>\$47,875</u>	<u>1,122</u>	<u>\$46,851</u>	<u>1,122</u>	<u>\$46,851</u>	<u>1,122</u>	<u>\$46,851</u>	-0-	-0-
TOTAL PROGRAM OPERATIONS....	<u>13,990</u>	<u>\$876,447</u>	<u>14,135</u>	<u>\$890,359</u>	<u>13,981</u>	<u>\$896,801</u>	<u>13,688</u>	<u>\$888,366</u>	-293	\$-8,435

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Justification of Adjustments to Base and Built-in Changes

Adjustments for 1983 pay increase..... \$+11,202,000

Anticipated FY 1983 pay increase supplemental.....	\$ 7,469,000
Amount of FY 1983 pay increase to be absorbed.....	+4,640,000
Total cost in FY 1983 of pay increase.....	<u>12,109,000</u>
Amount in FY 1984 to provide full-year 1983 costs..	+81,000
Less savings related to FTE reduction of 293 FTE...	-988,000
Total adjustment for 1983 pay increase.....	<u>\$+11,202,000</u>

The anticipated 1983 pay supplemental of \$7,469,000 includes \$4,515,000 for the general schedule and executive schedule pay increase effective October 1, 1982 and \$2,954,000 for wage board pay increases during 1983. An additional \$3,733,000 is required in 1984 to cover the net full-year cost of the 1983 pay supplemental, including \$2,206,000 for general and executive schedule and \$1,527,000 for wage board.

Because of the proposed reductions of 293 FTE in 1984, the full cost of the 1983 pay increase will not be required in 1984. The savings total \$988,000 but are partially off-set by the amount of annualization (\$+81,000) required to provide for the full-cost in 1984. Therefore, the additional amount added to programs in 1984 to meet the expected full-year cost of the October 1, 1982 pay raise is \$11,202,000.

The amount of pay increase absorbed in FY 1983 is \$4,640,000. These costs will be incurred by the various programs of the Bureau having Federal employees. The increased personal services costs will be financed by reducing other objects, such as, supplies and materials, contractual services, etc. which are used to provide direct staff support to Federal employees. The effects of the absorption will be spread over many locations and programs, and represents approximately 1.5% of the total FY 1983 personal services costs.

Transfer - Proposed Transfer from U.S. Fish & Wildlife Service..... \$+913,000

The 1984 request for Natural Resources Development includes the transfer of \$913,000 and 21 FTE from the U.S. Fish and Wildlife Service for the operation of four fish hatcheries which serve Indian reservations. The transfer is included in the 1984 Base program under the Forestry and Agriculture subactivity (Fish and Wildlife). The four hatcheries are:

- Warm Springs National Fish Hatchery, Warm Springs, OR
- Quinault National Fish Hatchery, Aberdeen, WA
- Makah National Fish Hatchery, Port Angeles, WA
- Alchesay National Fish Hatchery, White River, AZ

Transfer Area Field Operations to Tribe/Agency

Operations distribution..... \$+14,308,000

Internal transfers have been made within each program to display Area Field Operations as part of Tribe/Agency Operations in 1984. The transfers have been accomplished in the 1984 Base column of the "Distribution" section of each lead-off table to the program narratives. These program operations, even though operated at the Area level, provide direct services to the reservation or tribal level; and include services, such as, real estate appraisal, land title record maintenance, resource inventories, IIM accounting, loan examination, etc.

Justification of Adjustments to Base and Built-in Changes - Continued

Transfer Southwestern Indian Polytechnic Institute (SIPI) funding  
from Continuing Education to Employment Development (AVT)..... \$+2,260,000

The 1984 Request includes a tentative proposal under the Adult Vocational Training (AVT) program to fund a vocational training program using the facilities of the Southwestern Indian Polytechnic Institute (SIPI). Therefore, a base transfer has been used to properly display the 1984 Base for the proposal. The final proposal for SIPI operation in 1984 is contingent upon recommendations from a special task force which are expected by March 31, 1983.

Transfer Natural Resources Central Office staff funding to  
Trust Responsibilities..... \$+138,000

Due to a 1984 proposal to entirely fund the Office of the Director of Trust Responsibilities from the Trust Responsibilities activity, a base transfer has been applied in the 1984 Base. The transfer reduces the Base for the Natural Resources, General program (Central Office) by \$138,000 (2 FTE) and increases Trust Services, General (Real Estate and Financial Trust Services subactivity) by an equal amount.

Transfer Facilities Construction, Operation and Maintenance (FACCOM)  
from Program Management to Facilities Management..... \$+1,500,000

The Facilities Construction, Operation and Maintenance (FACCOM) program funding is being requested in 1984 under the Facilities Management activity. This transfer has been made because the Facilities Management program is the principal beneficiary of the management systems being developed and operated under the FACCOM program. Therefore, the 1983 funding has been transferred in the 1984 Base from the Program Management subactivity of General Administration.

Employees' Compensation Fund..... +\$247,000

The increase in the repayment to the Employees' Compensation Fund is the result of higher costs in the 1981-82 expense period. These charges will be reimbursed to the Department of Labor, Employees' Compensation Fund in 1984 pursuant to Public Law 94-273.

Unemployment Compensation for FY 1984..... +\$2,000,000

The estimated FY 1984 requirement of \$2,000,000 for unemployment compensation for former Federal employees has been treated as an increase to the 1984 Base. However, this increase is offset by the combination of the saving from one less workday in FY 1984 (\$1,070,000) and a general reduction for the amount in excess (\$930,000).

One less workday in FY 1984..... -\$1,070,000

The decrease for personnel compensation results from there being one less workday in FY 1984 than in FY 1983 for most full time employees. The savings has been applied to the FY 1984 estimated cost of unemployment compensation (\$2,000,000). The adjustments by program have been accomplished in the 1984 Base and are treated as a transfer to the General Administration, Employee Compensation Payments subactivity.

Justification of Adjustments to Base and Built-in Changes - Continued

General reduction for Unemployment Compensation in excess of savings due to one less workday..... -\$930,000

The estimated FY 1984 cost for unemployment compensation in excess of the savings from one less workday has been applied to the FY 1984 program requests as a transfer within the 1984 Base to the General Administration, Employee Compensation Payments subactivity.

Annualization of 1983 general overhead reduction..... -\$9,400,000

In 1983 a general overhead reduction of \$8,000,000 was included in the appropriations for the Operation of Indian Programs account. The 1983 reduction has been applied toward improving cost effectiveness of Bureau management and support functions at the central and area office levels. These actions are being phased in during the second through fourth quarters of FY 1983 and therefore will achieve only a partial year's savings in 1983. The 1984 Base has been adjusted to reflect the estimated full-year savings (\$17,400,000) which has been applied to the 1984 Request. The annualization amount is \$9,400,000 and 175 FTE. The general overhead reduction is being implemented in a manner to avoid impacting on direct services to Indians. Further, the program distribution of the reduction contained in these Justifications is tentative pending final decisions on implementations plans. Maximum use of attrition to achieve the savings is planned. The tentative distribution by activity is as follows:

<u>Activity</u>	(dollars in thousands)		
	<u>1983 Amount</u>	<u>1984 Annualization</u>	<u>1984 Amount</u>
Education	\$ 526	\$ 554	\$ 1,080
Indian Services	888	1,106	1,994
Economic Dev. & Employment Prgs.	296	501	797
Natural Resources Development	662	907	1,569
Trust Responsibilities	666	813	1,479
Facilities Management	481	1,782	2,263
General Administration	<u>4,481</u>	<u>3,733</u>	<u>8,218</u>
Total	\$8,000	\$9,400	\$17,400

Justification of Program and Performance

Activity: Education  
 Subactivity: School Operations

(Dollar Amounts in Thousands)

Program Elements		1983		FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date					
A. Indian School							
Equal. Formula	(\$)	153,228	157,086	153,514		+286	-3,572
	(FTE-T)	(4,952)	(4,952)	(4,760)		(-192)	(-192)
B. Institutionalized							
Handicapped	(\$)	2,390	2,390	2,390		--	--
C. School Board							
Training Fund	(\$)	800	800	25		-775	-775
D. Student							
Transportation	(\$)	10,071	10,322	9,958		-113	-364
	(FTE-T)	(283)	(283)	(283)		(--)	(--)
E. Technical Support-							
Agency and							
Area Offices	(\$)	8,863	8,644	9,060		+197	+416
	(FTE-T)	(227)	(212)	(212)		(-15)	(--)
F. Interim Formula							
Implementation							
Funds	(\$)	1,723	1,723	--		-1,723	-1,723
Total Requirements	(\$)	177,075	180,965	174,947		-2,128	-6,018
	(FTE-T)	(5,462)	(5,447)	(5,255)		(-207)	(-192)

Distribution:

Education and Training,							
General (Area/Agency	(\$)	8,863	8,644	9,060		+197	+416
Technical Support)	(FTE-T)	(227)	(212)	(212)		(-15)	(--)
School Operations	(\$)	168,212	172,321	165,887		-2,325	-6,434
	(FTE-T)	(5,235)	(5,235)	(5,043)		(-192)	(-192)

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized Indians. 25 U.S.C. 2008-2325, the Education Amendments of 1978 (P.L. 95-561), provide new authorities to the Office of Indian Education Programs (OIEP), including establishment of a new personnel system, line authority to the field, direct formula funding of schools, and specific decision-making authority to Indian school boards.

Objective: The objectives of the school operations program are: (1) to provide a sound, high quality basic educational program to Indian students not served by public or sectarian schools; (2) to meet the special needs of Indian students and those problems which are intensified among Indian children because of the uniqueness of their situation, such as bilingual needs, residential care and guidance; and (3) to provide operational funding to elementary and secondary schools under contract to tribes.

A. Indian School Equalization Formula

Base Program: While 80% of Indian students are served by state operated public schools, there continues to be a need for a Federal role in Indian education. Approximately 42% of the 42,321 average daily membership (ADM) served by the Bureau are in residential schools due to geographic isolation of being further than 1 1/2 mile walking distance from public or Federal day schools or because of special social or academic factors such as poverty in the family, family difficulties or problems encountered in other school systems.

Approximately 20% of all Indian children in school are provided an education in schools run by the Bureau or by tribes under contract with the Bureau of Indian Affairs pursuant to P.L. 93-638. The Bureau also administers programs funded by the Department of Education such as Chapter I and Title VII of the Elementary and Secondary Education Act (\$18.8 million) and P.L. 94-142, the Education of All Handicapped Children Act (\$9.2 million). Chapter I provides financial assistance to schools for programs designed to raise the academic level of Indian children in the areas of math, reading, and language. Title VII provides grants to schools for programs designed to meet bilingual/bicultural needs of Indian children. P.L. 94-142 provides funding for special education and related services to identified handicapped children.

In an effort to meet the basic and special educational needs of Indian students as close to home as possible, Bureau and contract schools incorporate the following activities into their educational programs:

- EARLY CHILDHOOD AND ELEMENTARY EDUCATION (K-8) - Programs for young children providing specialized staff for small groups in order to provide education, school health, nutrition, and counseling to Indian students with strong parental and community involvement as well as relevance of the educational experience to the child's culture.
- SECONDARY EDUCATION (9-12) - Basic educational curricula at the levels of grades 9 through 12 and special curricula including vocational courses, extracurricular activities, and specialized courses, among other activities, to prepare students for meaningful, productive careers or to continue in institutions of higher learning.
- BILINGUAL/BICULTURAL EDUCATION - Special programs for children who are non-functional in English or have limited English-speaking abilities.
- EXCEPTIONAL CHILD PROGRAMS - Education programs to meet the unique needs of handicapped Indian children in existing, confirmed programs, at no cost to the parents, including classroom instruction, instruction in physical education, home instruction and instruction in hospitals and institutions. The need for special education and related service programs for handicapped Indian children is being met in Bureau operated and contracted elementary and secondary schools.

- RESIDENTIAL PROGRAMS - These programs provide for the housing and care of students, including room and board, recreation, libraries, tutoring and other programs unique to residential situations. Supplementary services are provided to handicapped children in residential care programs as identified in Individualized Education Plans. The Individualized Education Plans contain the special education and related services required to meet the unique needs of individual handicapped students. In most cases, the services include, but are not limited to, physical therapy, psychological counseling, and specific instructional activities.
- SUMMER PROGRAMS - At the option of school boards, available funds may be expended to support summer programs including remedial instruction, recreational activities, scouting, etc.

In carrying out its educational responsibilities in FY 1984, the Bureau will operate either directly or by contract, 181 elementary and secondary schools and 15 dormitories. These federally operated and contracted schools will serve an estimated student average daily membership (ADM) of 41,540 in 23 states in FY 1984. This figure includes 39,730 ADMs under the basic instructional programs and 1,810 ADMs under the basic residential programs for students receiving residential care while attending public schools. The educational facilities operated are:

1. Day Schools (64): Provide basic elementary and secondary education programs to children within their attendance boundaries who reside at home. This figure has been tentatively reduced by 10 schools from FY 1983 due to the proposed transfer of 10 schools to the State of Alaska. Due to the relatively small size of these schools, the proposed transfer will reduce total ADM by only 475.
2. On-Reservation Boarding Schools (49): Located within the boundaries of an Indian reservation and providing residential care in addition to the education program. There is no change in the number of on-reservation boarding schools from FY 1983.
3. Off-Reservation Boarding Schools (6): Located outside the boundaries of an Indian reservation and providing residential care in addition to the education program. There are four (4) less schools planned in FY 1984 due to the closure of Mt. Edgecumbe in June 1983, and tentative decisions to close Intermountain, Concho and Wahpeton off-reservation boarding schools at the end of the 1982-83 school year.
4. Dormitories (15): Provide residential care for students attending public schools. There is no change in the number of Bureau funded dormitories from FY 1983.
5. Contract Schools (62): 52 day and 10 boarding schools are operated by the tribes under P.L. 93-638 contracts. These schools include 27 formerly Bureau operated schools and 35 previously private tribal schools.

The following table reflects the total cost of the Bureau's school system for FY 1982:

SUMMARY OF FISCAL YEAR 1982 BUREAU SCHOOL SYSTEM FUNDING

<u>TYPE OF SCHOOLS</u>	<u>ADM</u>	<u>Ins. WSU</u>	<u>Res. WSU</u>	<u>Formula Funds a/</u>	<u>O&amp;M Funds b/</u>	<u>Total Funds</u>
<u>Bureau Operated Day Schools 93</u>	<u>11,164.00</u>	<u>14,570.90</u>	<u>--</u>	<u>\$31,436,739</u>	<u>\$11,599,375</u>	<u>\$43,036,114</u>
Elementary (9)	(8,975.50)	(11,927.45)	(--)	(25,647,483)	(10,473,090)	(36,120,573)
Secondary (0)	(--)	(--)	(--)	(--)	(--)	(--)
Elementary/Secondary (84)	(2,188.50)	(2,643.45)	(--)	(5,789,256)	(1,126,285)	(6,915,541)
<u>Bureau Operated Boarding Schools 49</u>	<u>17,143.75</u>	<u>20,853.82</u>	<u>14,444.22</u>	<u>72,574,778</u>	<u>14,972,587</u>	<u>87,547,365</u>
Elementary (40)	(12,127.25)	(14,630.23)	(11,127.05)	(52,882,422)	(10,870,664)	(63,753,086)
Secondary (3)	(2,035.00)	(2,720.50)	(2,497.13)	(10,615,495)	(1,666,907)	(12,282,402)
Elementary/Secondary (6)	(2,981.50)	(3,503.09)	(820.04)	(9,076,861)	(2,435,016)	(11,511,877)
<u>Off-Reservation Boarding School 10</u>	<u>3,910.00</u>	<u>5,248.12</u>	<u>5,455.08</u>	<u>22,768,752</u>	<u>9,276,320</u>	<u>32,045,072</u>
Elementary (2)	(427.50)	(477.68)	(579.08)	(2,220,276)	(933,274)	(3,153,550)
Secondary (8)	(3,482.50)	(4,770.44)	(4,876.00)	(20,548,476)	(8,343,046)	(28,891,522)
<u>Dormitories 15</u>	<u>1,966.00</u>	<u>103.07</u>	<u>2,646.69</u>	<u>5,861,706</u>	<u>2,280,216</u>	<u>8,141,922</u>
Elementary (1)	(130.5)	(35.72)	(143.03)	(376,134)	(95,641)	(471,775)
Secondary (4)	(618.0)	(--)	(773.49)	(1,708,502)	(343,595)	(2,052,097)
Elementary/Secondary (10)	(1,217.5)	(67.35)	(1,730.17)	(3,777,070)	(1,840,980)	(5,618,050)

BIA-22

SUMMARY OF FISCAL YEAR 1982 BUREAU SCHOOL SYSTEM FUNDING - Continued

<u>TYPE OF SCHOOLS</u>	<u>ADM</u>	<u>Ins. WSU</u>	<u>Res. WSU</u>	<u>Formula Funds a/</u>	<u>O&amp;M Funds</u>	<u>Total Funds</u>
<u>Contracted Schools 60</u>	<u>8,738.50</u>	<u>11,099.13</u>	<u>1,783.25</u>	<u>27,811,056</u>	<u>6,289,634</u>	<u>34,100,690</u>
Elementary (25)	(1,923.25)	(2,494.17)	(248.37)	(6,043,171)	(1,613,840)	(7,657,011)
Secondary (7)	(1,012.00)	(1,395.87)	(141.25)	(3,266,140)	(232,000)	(3,498,140)
Elementary/Secondary (28)	(5,803.25)	(7,209.09)	(1,393.63)	(18,501,745)	(4,443,794)	(22,945,539)
<u>Grand Total 227</u>	<u>42,922.25</u>	<u>51,875.04</u>	<u>24,329.24</u>	<u>\$160,453,031</u> <sup>c/</sup>	<u>\$44,418,132</u> <sup>d/</sup>	<u>\$204,871,163</u>

a/ Includes: ISEF \$149,492,713; School Board Training \$960,000; and Student Transportation \$10,000,318.

b/ O&M funds are appropriated under the Facilities Management Activity except for new starts.

c/ Includes: Education, ISEF Funds of \$88,510 for new school starts (Fond Du Lac \$42,000 and Rocky Boy \$46,500).

d/ Includes: Education, ISEF Funds of \$150,200 for new school starts (Fond Du Lac \$6,750; Rocky Boy \$3,000; Lummi \$26,740; and Kickapoo \$113,710).

The major portion of Bureau school operating funds for instruction, boarding, and dormitory costs is distributed directly to Bureau and contract schools via a formula using a weighted student funding approach. This formula is the Indian School Equalization Formula (ISEF). Monies used to fund other special educational support and administrative school services are also provided apart from the ISEF. An explanation of the FY 1984 ISEF, with estimates by program level, follows:

Summary of Weighted Student Units by Program

	<u>FY 1983</u>		<u>FY 1984 Estimated</u>	
	<u>ADM</u>	<u>WSU's</u>	<u>ADM</u>	<u>WSU's</u>
<u>I. Instructional Programs</u>				
A. Basic	40,500 <u>a/</u>	45,775	39,730 <u>a/</u>	44,905
B. Exceptional Child	4,775	3,337	4,969	3,344
C. Intense Bilingual	8,589	<u>1,718</u>	8,426	<u>1,685</u>
Total Instructions WSU's		<u>50,830</u>		<u>49,934</u>
<u>II. Residential Programs</u>				
A. Boarding Schools				
1. Basic	15,649	20,074	15,213	19,515
2. Exceptional Child Residential	178	80	173	78
3. Intensive Residential Guidance	1,165	583	1,132	566
B. Dormitories				
1. Basic	1,821 <u>a/</u>	2,303	1,810 <u>a/</u>	2,289
2. Intensive Residential Guidance	578	289	575	288
3. Exceptional Child Residential	2	<u>1</u>	2	<u>1</u>
Total Residential WSU's		<u>23,330</u>		<u>22,737</u>
Total ISEF Program WSU's		<u>74,160</u>		<u>72,671</u>

a/ These "Basic" student ADM amounts are added together to obtain the total unduplicated, unweighted ADM for each year (42,321 in FY 1983 and 41,540 in FY 1984).

According to the Indian School Equalization Formula, different educational activities conducted by Bureau operated and contract schools, such as kindergarten education, elementary and secondary education, bilingual education, residential programs, and programs for different types of handicapped students are assigned various weights, anchored upon a base amount of 1.00 for some of the less expensive activities, which reflect the relative costs associated with the

various activities. The relative weights were determined on the basis of the best practice and experience of state school systems which have developed equalization funding formulae. The number of students a school has participating in the various educational activities is identified, totaled by activity, and multiplied by the weight for each activity to arrive at the number of weighted student units (WSU) at each school. The dollar value of a WSU is determined by the division of the total number of all schools' WSU's into the total available funding. The WSU dollar value is multiplied by the number of each school's WSU's to arrive at each school's amount of funding.

Calculating the Base Student Value - The base student value is derived by dividing the Indian School Equalization Formula Fund amount by the total number of weighted student units (WSU's) generated by the schools. This total WSU figure includes all of the WSU's generated directly by instructional and residential programs in addition to the Small School Adjustment and the Alaskan School Cost Adjustment. The Small School Adjustment is for (74) schools with less than 100 students since it costs more per capita to operate very small schools and dormitories. Under the Alaska Adjustment, schools located in Alaska will receive an additional 25% of their WSU's to compensate for the high cost of delivering educational services in the State. The following is the estimated student value for FY 1984:

	<u>WSU's</u>
Program Total	72,671
Small School Adjustment	906
Alaskan Adjustment	<u>184</u>
Total	73,761

The FY 1984 ISEF fund estimate of \$153,514,000 divided by the total WSU's (73,761) produces a base student value for FY 1984 of \$2,081.

The formula used to determine the estimated student average daily membership (ADM) for FY 1983 and FY 1984 and the respective WSU's by program is as follows:

Weighted Student Units by Program Area

<u>FY 1983</u>		<u>FY 1984 Estimated</u>	
ADM		ADM	
<u>(Unweighted)</u>	<u>WSU's</u>	<u>(Unweighted)</u>	<u>WSU's</u>

I. Instructional Programs

A. Basic

Kindergarten	3,839 X 1.0 =	3,839	3,766 X 1.0 =	3,766
Grades 1-3	11,519 X 1.2 =	13,823	11,300 X 1.2 =	13,560
Grades 4-8	15,238 X 1.0 =	15,238	14,948 X 1.0 =	14,948
Grades 9-12	<u>9,904 X 1.3 =</u>	<u>12,875</u>	<u>9,716 X 1.3 =</u>	<u>12,631</u>
Subtotal	40,500 <u>a/</u>	45,775	39,730 <u>a/</u>	44,905

Weighted Student Units by Program Area (continued)

	<u>FY 1983</u>		<u>FY 1984 Estimated</u>	
	<u>ADM</u> <u>(Unweighted)</u>	<u>WSU's</u>	<u>ADM</u> <u>(Unweighted)</u>	<u>WSU's</u>
<b>B. <u>Exceptional Child</u></b>				
High Service Level	361 X 3.0 =	1,083	354 X 3.0 =	1,062
	803 X 1.0 =	803	788 X 1.0 =	788
Moderate Service Level	2,192 X .5 =	1,096	2,150 X .5 =	1,075
	<u>1,419 X .25 =</u>	<u>355</u>	<u>1,677 X .25 =</u>	<u>419</u>
Subtotal	4,775	3,337	4,969	3,344
<b>C. <u>Intense Bilingual</u></b>				
	8,589 X .2 =	<u>1,718</u>	8,426 X .2 =	<u>1,685</u>
Subtotal	8,589 X .2 =	1,718	8,426 X .2 =	1,685
Total Instructional WSU's		<u>50,830</u>		<u>49,934</u>

**II. Residential Programs:**

**A. Boarding Schools:**

**1. Basic**

Grades 1-3	3,417 X 1.4 =	4,784	3,322 X 1.4 =	4,651
Grades 4-8	6,087 X 1.25 =	7,609	5,917 X 1.25 =	7,396
Grades 9-12	<u>6,145 X 1.25 =</u>	<u>7,681</u>	<u>5,974 X 1.25 =</u>	<u>7,468</u>
Subtotal	15,649	20,074	15,213	19,515

**2. Residential Exceptional Child:**

High Service Level	141 X .5 =	71	137 X .5 =	69
Moderate Service Level	<u>37 X .25 =</u>	<u>9</u>	<u>36 X .25 =</u>	<u>9</u>
Subtotal	178	80	173	78

**3. Intensive Residential**

<u>Guidance</u>	1,165 X .5 =	<u>583</u>	1,132 X .5 =	<u>566</u>
Subtotal	1,165 X .5 =	583	1,132 X .5 =	566

**B. Dormitories:**

**1. Basic:**

Grades 1-3	176 X 1.4 =	246	175 X 1.4 =	245
Grades 4-8	454 X 1.25 =	568	451 X 1.25 =	564
Grades 9-12	<u>1,191 X 1.25 =</u>	<u>1,489</u>	<u>1,184 X 1.25 =</u>	<u>1,480</u>
Subtotal	1,821 <u>a/</u>	2,303	1,810 <u>a/</u>	2,289

Weighted Student Units by Program Area (continued)

	<u>FY 1983</u>			<u>FY 1984 Estimated</u>		
	ADM			ADM		
	<u>(Unweighted)</u>			<u>(Unweighted)</u>		
			WSU's			WSU's
2. <u>Intensive Residential</u>						
<u>Guidance</u>	578 X	.5 =	<u>289</u>	575 X	.5 =	<u>288</u>
Subtotal	578 X	.5 =	289	575 X	.5 =	288
3. <u>Exceptional Child Residential</u>						
High Service Level	2 X	.5 =	1	2 X	.5 =	1
Moderate Service Level	0 X	.25 =	<u>0</u>	0 X	.25 =	<u>0</u>
Subtotal	2		1	2		1
Total Residential WSU's			<u>23,330</u>			<u>22,737</u>
Total Program WSU's			<u>74,160</u>			<u>72,671</u>

a/ These "Basic" student ADM amounts are added together to obtain the total unduplicated, unweighted ADM for each year (42,321 in FY 1983 and 41,540 in FY 1984).

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u>	<u>FY 1984</u>	Inc. (+)
		<u>Base</u>	<u>Estimate</u>	Dec. (-)
				<u>From Base</u>
A. Indian School				
Equal. Formula	(\$)	157,086	153,514	-3,572
	(FTE-T)	(4,952)	(4,760)	(-192)

The decrease of -\$3,572,000 is the net result of the tentatively proposed transfers, closures, and a decreased number of students. The table below indicates an estimated WSU savings of 3,056. However, an increase in high service level activities has reduced the FY 1984 WSU estimate by only 1,489. The difference (1,567 WSU's) will be partially offset by the net funding increase of \$821,000 which is the difference of estimated net savings (-\$4,393,000) less the decrease from base (-\$3,572,000).

The following table outlines the FY 1984 ISEF estimated net program savings which will result from the proposed transfers and closures (\$000):

<u>School</u>	<u>Tentatively Proposed Action</u>	<u>Estimated WSU Savings</u>	<u>2/ Projected FY 84 Savings</u>	<u>FY 1983 Closure Costs</u>	<u>Estimated FY 1984 Savings</u>
10 Alaska Day Schools	Transfer 6/30	818.74	\$1,704	\$ --	\$1,704
Alaskan Adjustment		169.50	353	--	353
Small School Adjustment		113.00	235	--	235
Mt. Edgecumbe <u>1/</u>	Close 6/30	1,130.29	2,352	421	1,931
Intermountain	Close 6/30	559.99	1,166	1,011	155
Concho	Close 6/30	109.45	228	295	-67
Wahpeton	Close 6/30	154.74	322	240	82
		<u>3,055.71</u>	<u>\$6,360</u>	<u>\$1,967</u>	<u>\$4,393</u>

1/ Final decision made to close school.

2/ Operation and maintenance cost savings for schools are included under the Facilities Management Activity.

NOTE: Total WSU estimated savings multiplied by the FY 1984 unadjusted base student value (3,056 X \$2,081) = \$6,360,000.

The off-reservation boarding schools (ORBS) have been extensively studied by the Bureau of Indian Affairs, the Department of Interior, the Inspector General and the General Accounting Office over the last several years. These reports have evidenced a need to reduce the costs of operating the ORBS and to improve the administrative management within these Indian schools. During 1982 the Bureau reviewed and analyzed the ten ORBS currently in operation. These reviews included formal and informal on-site evaluation visits, public hearings, consultation meetings with parents, school boards and tribes and individual monitoring visits. The results of these analyses have been incorporated into an overall Bureau plan for the operation of the ORBS system.

On February 24, 1982 the Bureau of Indian Affairs announced an education plan concerning the operation of the ORBS. Notice of the boarding school plan was published in the Federal Register and public hearings were held during March and April of 1982 to obtain comments on the proposed closures. In July 1982 specific consultation plans were developed and implemented by the Bureau concerning the proposed closure of Mt. Edgecumbe and Intermountain boarding schools at the end of the 1982-83 school year. During October 1982 consultation plans were developed and implemented by the Bureau concerning the proposed closure of Concho and Wahpeton boarding schools at the end of the 1982-83 school year.

Each of the consultation plans contained procedures and activities to be implemented which would provide information and data necessary to examine the proposed closure of Mt. Edgecumbe, Intermountain, Concho and Wahpeton boarding schools. Such procedures included formal notification to tribes, parents, school boards and congressional committees of the proposed closures; consultation meetings with school boards, parents, tribes and other interested parties; development of detailed student profiles and individual alternative school placement plans; and analyses of programs and the school facilities.

Public Law 97-394, the Department of the Interior and Related Agencies Appropriations Act for FY 1983 states that Mt. Edgecumbe shall be closed on June 30, 1983. Additionally, Intermountain, Concho and Wahpeton are tentatively proposed for closure at the end of the 1982-83 school year.

Consultations will continue with the affected tribes and groups. The schools are underutilized and the proposed closures are a continuation of the effort to streamline and consolidate as well as to educate elementary students closer to home in the Bureau's school system.

No funds are included for Concho, Oklahoma, Wahpeton, North Dakota, and Intermountain, Utah off-reservation boarding schools for FY 1984 because of the tentative decisions to close these schools. However, consultation will continue with the affected tribes, and the Bureau will review any new data presented by the Government Accounting Office on Concho, Wahpeton, and Intermountain. Should the final decision be to keep any of these off-reservation boarding schools open, the costs to operate them will be absorbed within available funds.

In recent years the Bureau of Indian Affairs has been committed to aligning its education goals to the Alaska state system and facilitating transfer of its education functions to the State. Since Alaska gained statehood, some eighty (80) Bureau owned and operated schools have been transferred from Federal control to Alaska.

In FY 1982 the Bureau operated thirty-seven (37) day schools for Native Alaskans. As a part of the continuing effort to establish a single system of education in the State of Alaska, the Bureau transferred seventeen (17) schools at the end of the 1981-82 school year. The Bureau anticipates transferring the remaining day schools to State control by June 30, 1984.

The competitive Civil Service rights of the staff at off-reservation boarding schools proposed for closure will be protected. The employees will be provided opportunities for Bureau employment through normal procedures required by law, regulations and union agreements. As in past transfers, we anticipate most employees of Alaskan day schools will be hired by the State of Alaska for employment in the transferred schools.

In December 1982, Student Placement Plans were prepared for those students who will need alternative placement for the 1983-84 school year. Those students graduating are not included in the plans as they would be moving to other school programs or completing their education. Any further placement of such students will be dealt with as their needs may dictate. The following table displays the numbers of students from each school being closed or proposed for closure and the type of school they will likely attend:

Type of School Proposed to Receive Students	Concho	Wahpeton	Inter- mountain	Mt. Edgecumbe	Total
BIA Day Schools	0	36	0	0	36
Tribal Contract Schools	0	15	10	1	26
Public Schools	100	145	58	130	433
Private Schools	0	9	0	8	17
BIA On-Res. Boarding Schools	0	0	4	0	4
ORBS - Phoenix	0	0	51	0	51
ORBS - Sherman	0	0	86	0	86
ORBS - Riverside	0	0	3	0	3
ORBS - Chemawa	0	0	0	9	9
ORBS - Other	0	0	16	0	16
Total	100	205	228	148	681

For the three off-reservation boarding schools tentatively proposed for closure in FY 1984, the following table displays the number of students by home state that were enrolled in the school as of December 10, 1982, and includes grades 8 and 12:

<u>Home State</u>	<u>Intermountain</u>	<u>Concho</u>	<u>Wahpeton</u>	<u>Total</u>
Arizona	210	0	0	210
California	7	0	0	7
Colorado	23	4	0	27
Florida	4	0	0	4
Idaho	2	0	2	4
Iowa	3	3	4	10
Illinois	2	0	2	4
Indiana	2	0	0	2
Kansas	2	4	0	6
Michigan	2	0	0	2
Minnesota	8	0	71	79
Montana	23	0	39	62
North Dakota	1	0	113	114
Nebraska	4	0	25	29
New Mexico	8	2	0	10
Nevada	9	0	0	9
Oklahoma	0	119	0	119
Oregon	7	0	0	7
South Dakota	23	4	14	41
Texas	0	5	0	5
Utah	19	0	0	19
Washington	22	0	0	22
Wisconsin	24	0	10	34
Wyoming	<u>11</u>	<u>0</u>	<u>2</u>	<u>13</u>
Totals	416	141	282	839

Further data regarding these schools, such as capacity, ADM, students by grade, ISEP funding and cost per student, reason for enrollment and anticipated placement follow:

<u>Type/Name/Location</u>	Actual Bed Space			Vacancies
	<u>Availability/Capacity</u> <u>In FY 1983</u>	<u>ADM</u> <u>1981</u>	<u>ADM</u> <u>1982</u>	
<u>Elementary</u>				
1. Concho				
Concho, Okla.	256	175	168	137
2. Wahpeton				
Wahpeton, N.D.	<u>350</u>	<u>291</u>	<u>259</u>	<u>306</u>
Subtotal	606	466	427	443
<u>Secondary</u>				
1. Intermountain				
Brigham City, Utah	<u>800</u>	<u>791</u>	<u>779</u>	<u>390</u>
TOTALS	<u>1,406</u>	<u>1,257</u>	<u>1,206</u>	<u>833</u>

Percent of total capacity utilized:                      89%              86%              59%

Students by Grade - FY 1983

<u>Grade</u>	<u>Concho</u>	<u>Wahpeton</u>	<u>Intermountain</u>	<u>Total</u>
1	8	-	-	8
2	14	-	-	14
3	14	18	-	32
4	11	33	-	44
5	18	34	-	52
6	14	56	-	70
7	24	72	-	96
8	34	93	-	127
9	-	-	-	-
10	-	-	119	119
11	-	-	105	105
12	-	-	166	166
TOTALS	<u>137</u>	<u>306</u>	<u>390</u>	<u>833</u>

ISEP Funding - FY 1983

<u>School</u>	<u>ADM a/</u>	<u>ISEP Funding b/</u>	<u>ISEP Cost/Student</u>
Concho	137	\$ 764,119.50	\$5,577.51
Wahpeton	306	1,545,578.50	5,050.91
Intermountain	<u>390</u>	<u>1,604,210.20</u>	<u>4,113.36</u>
TOTALS	<u>833</u>	<u>\$3,913,908.20 c/</u>	<u>\$4,698.57 c/</u>

a/ Data compiled from the initial count of October, 1982.

b/ Includes student transportation and School Board Training.

c/ Operation and maintenance costs for schools are included under the Facilities Management Activity; therefore, they are not included in this table.

Summary of Compiled Reasons for Enrollment at  
Concho, Wahpeton and Intermountain Schools as Compared to  
Public/Federal Day Schools Near a Student's Home a/

<u>Education Factors</u>	<u>Concho</u>	<u>Wahpeton</u>	<u>Intermountain</u>	<u>Total</u>
o Overcrowding	--	6	21	27
o Does not offer student's grade	1	1	6	8
o Exceeds 1 1/2 miles walking distance to school or bus	8	12	183	203
o Does not offer special vocational/preparatory training necessary for student's gainful employment	3	1	80	84
o Does not offer adequate provisions to meet linguistic or cultural differences	16	47	121	184
o Prejudice in local non-Indian school	--	3	--	3
o Attendance/truancy	18	48	--	66
o Frequent change of school	--	18	--	18
o Not satisfied with local school	--	64	--	64
Subtotal <u>b/</u>	46	200	411	657
<u>Social Reasons</u>				
<u>Family</u>				
o Financial difficulties	52	32	--	84
o Behavioral problems	14	9	25	48
o Lack of Supervision	46	56	29	131
o Rejection or neglect	13	26	18	57
o Desire not to separate siblings or relatives	22	15	4	41
<u>Self</u>				
o Desire to attend an all-Indian boarding school	--	26	--	26
o Behavioral problems too difficult for solution by family or local resources	19	50	72	141
Subtotal <u>b/</u>	166	214	148	528
Total <u>b/</u>	<u>212</u>	<u>414</u>	<u>559</u>	<u>1,185</u>

a/ December 1982

b/ More than one reason may have been listed for any individual student.

## B. Institutionalized Handicapped Program

Base Program: The Office of Indian Education Programs (OIEP) is mandated to provide financial support for the educational costs of handicapped Indian children who are placed in institutions. All educational placements of handicapped Indian students are made jointly between the Division of Social Services, Office of Indian Services, and the OIEP. This is necessary to insure proper placement of handicapped children consistent with the least restrictive environment and to insure adequate educational funding of children placed in institutions. The institutionalized handicapped program serves special education and related service needs of handicapped Indian children in state operated institutions, approved private non-profit facilities, and facilities operated by Navajo people.

The program typically provides education and related services to severely handicapped and severely multi-handicapped children between the ages of 0-21 years. Some of the direct services include: instruction by special education teachers and aides, services by physical therapists, occupational therapists, adapted physical education, medical-related services, psychological services, special vocational services and speech therapy. Some of the indirect services on which cost is considered include: assessment of handicapping conditions and service needs, admissions and appropriate placement, individual education program development, inservice training for professionals and aides, supplies and materials, transportation, food services, facility operation and administration.

Placements of handicapped Indian children are limited to eligible children in accordance with applicable requirements and in accordance with established procedures for placement of handicapped children. In no instance are placements made without the approval of Bureau special education staff at Agency offices and only after all possible alternative placements are examined in accordance with the least restrictive environment. Referral, identification, evaluation and placement services are in accordance with P.L. 94-142, The Education for All Handicapped Children Act, The Indian School Equalization Program, and appropriate sections of the Education Department's General Administration Regulations (EDGAR).

The total costs for special education and related services depend upon a number of factors which must be included in program and budget planning. Some of these factors are (a) different educational placements, (b) different handicapped populations, (c) fixed rate vs. variable rate, (d) placements requiring extensive medical, social, and education/training intervention, (e) and when appropriate, living care costs associated with the handicapping condition. In 24-hour care facilities, costs can be grouped in the following categories: identification, evaluation and placement; instructional services; related services; administrative services; and in some cases the total living care costs. Costs for handicapped Indian children placed in state approved facilities are set by state Departments of Mental Retardation or their equivalent. The costs are based on a fixed price per day which may be adjusted by contract auditing for pricing. The Bureau Contracting Officers write contracts for services based on this fixed price.

For example, in FY 1981-82, for a blind child placed in a private non-profit residential facility for 12 months, the special education rates were as follows:

Per day child rate:	\$30.69
Number of days :	<u>X 365</u>
Total:	\$11,201.85

These figures used for pricing are based on the provisions of 41 CRF 1-3.809 which address contract audit as a pricing aid.

The example above illustrates costs for all of the special education and related services for one blind individual and the cost does not include any living care costs. The residential care costs would be approximately \$1,343.00 per month as set by "contract auditing." These costs are borne by the Bureau's Social Services program in all cases except when placements of multi-handicapped children are made in such facilities by special education personnel for educational reasons only. Under these circumstances the Education Program would be obligated to pay the total education and living care costs:

Education costs :	\$11,201.85
Living care costs:	<u>16,116.00</u>
Total:	\$27,317.85

In most cases the living care costs are paid by Social Services but since there is no way of knowing how many placements are going to be made only for educational reasons during the next school year, it is estimated that only 20 placements would be made throughout the system and that the costs would not reach \$27,317 per placement, but would average about \$20,000 per placement. This assumes, of course, that other children with less severe handicapping conditions would require less individual special educational intervention and thus lower the average costs of services.

It must be noted that total costs per child varies widely depending on educational placement (e.g., the costs of a mentally retarded child placed in a day school program costs significantly less than the costs of a mentally retarded child placed in a residential or institutional placement). Moreover, the total cost varies within categorical handicapping condition (e.g., it costs more to educate a blind child than a learning disabled child in the same setting). In every case, the funds are provided for special education and related services.

Facility listings which provide total costs, number of students, and per student cost for FY 1982 follows:

FY 1982 Costs for Institutionalized Handicapped Children\*

<u>Facility Name, Location</u>	<u>Total Costs</u>	<u>Number of Students</u>	<u>Cost Per Student</u>
1. St. Michaels Association for Special Education, NM.....	\$795,264	101	\$7,874
2. Chinle Valley School for Exceptional Children, NM.....	299,505	35	8,557
3. A School for Me, Inc., NM.....	556,984	58	9,603
4. Hozhoni Foundation for the Handicapped, Inc., AZ.....	79,638	12	6,636
5. Valley of the Sun, AZ.....	133,481	19	7,025
6. Ann Carlson School, ND.....	37,953	3	12,651

FY 1982 Costs for Institutionalized Handicapped Children\* - Continued

7. New Mexico School for the Deaf, NM.....	29,710	9	3,301
8. Desert Willow, AZ.....	23,945	9	2,660
9. Arizona Baptist Childrens' Associates, AZ.....	12,892	4	3,223
10. Arizona Boys' Ranch, AZ.....	25,784	8	3,223
11. Beacon Foundation for the Mentally Retarded, AZ.....	1,096	1	1,096
12. Helaman House, AZ.....	6,447	2	3,223
13. New Foundation, AZ.....	2,211	2	1,105
14. Prehab of Mesa, AZ.....	4,532	2	2,266
15. San Pablo, AZ.....	11,531	4	2,882
16. Portland Area Placements, OR.....	2,433	1	2,433
17. Yellowstone Boys' Ranch (Billings), MT.....	<u>6,662</u>	<u>1</u>	<u>6,662</u>
Total Program.....	\$2,030,068	271	\$7,491

$$\frac{\$2,030,068}{271} = \$7,491 \text{ average cost per student}$$

\* The above figures reflect special education and related service costs except for isolated cases in which the total care cost may be included as described in the narrative.

Change for FY 1984: (Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
B. Institutionalized Handicapped	2,390	2,390	--

No. change in funding is proposed for the Institutionalized Handicapped program.

C. School Board Training Fund.

Base Program: Public Law 95-561, the Education Amendments of 1978 authorized and mandated the facilitation of Indian control of Indian affairs in all matters relating to education. In so doing, Indian school boards of Bureau schools are actively involved in local education planning and decision making activities. These school boards develop and train individuals and groups in areas commonly associated with board roles and responsibilities: policy making, education standards, school administration and operations, education financial management and accountability, planning, internal practices and procedures, and related areas of review and oversight.

For the first year of implementing the Act (FY 1980) all Bureau funded schools received training allocations from the Office of Indian Education Programs of \$5,000 each. Bureau schools in Alaska and off-reservation residential schools were allocated a 25% increment over the base amount (or \$6,250) to cover increased costs related to distance, isolation and enrollment factors. Training sessions were provided through a variety of sources, beginning in FY 1980. National, regional and local workshops have been conducted by the National

School Board Association; Policy Resources Center, Management Concepts, Inc., the former BIA Office of Technical Assistance and Training; the Navajo Area School Board Association, Diversified Management Services, Inc., National Indian Training and Research Center, Association of Contract Tribal Schools; state School Board Associations, local universities and community colleges, and other groups and individual consultants. Tuition or registration fees were charged for the larger workshops or seminars to defray expenses related to the presentation.

School boards also contracted for local training. Central Office OIEP made its staff resources available to assist in 10-12 larger training sessions. During FY 1981 and FY 1982 one board training session was conducted each year in Washington, D.C., to coincide with the Bureau budget cycle to acquaint boards with the Federal budget process. Also Bureau, Departmental, OMB and Congressional staff persons involved in various phases of the budgeting system offered presentations to minimize travel expenses to various field locations.

A meaningful outcome of these activities has been the development and use of school board manuals and related training materials. Board members, groups, agencies, and contractors have generated these resources to assist school boards in meeting and carrying out their local responsibilities. For example, the Bureau developed a basic manual during FY 1981 that was distributed to all Bureau funded schools for their reference, use, and refinement in meeting local needs.

In FY 1983, 210 school boards will be allocated an average of \$3,810 for training and development purposes, for a total of \$800,000. By the end of FY 1983, a total of \$4,194,000 will have been provided for development training and experience to assist the P.L. 95-561 Indian school boards with carrying out their increased responsibilities. Membership on the boards is continually changing. However, a cadre of trained community members now exists and can assist in the training of others.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>			
	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
C. School Board			
Training Fund	(\$) 800	25	-775

The FY 1984 estimate of \$25,000 will provide for the printing and distribution of existing school board training materials. There have been four years experience in training school boards utilizing a variety of acceptable methods on a national, regional and local scale. A large number of community members have, by now, participated in training sessions. This has established a resource pool available for each school to draw from for school board members. There is increased familiarity in Indian communities with the mandates of P.L 95-561 and its implementation requirements.

#### D. Student Transportation

Base Program: The regulations established two sub-formulae which determine the allocation of available funds for student transportation. These two sub-formulae are the Day Student Formula and the Residential Student Formula. Both formulae are based on the fall (October and November) student transportation survey.

The Day Student Formula allocates funds to each school which provides daily transportation of students between the student's residence and the school site. The number of students transported daily and the number of miles (round trip) traveled daily, for the 180 days per school year, determine each school's day student allocation.

The Residential Student Formula allocates funds to each boarding school and dormitory for the transportation of resident students based upon various cost criteria factors. These cost criteria factors include mileage distances for one round trip, per student, per school year between the student's home or agency and the school site, and, for air-transportation for students residing over 350 miles from the school site.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
D. Student				
Transportation	(\$)	10,322	9,958	-364
	(FTE-T)	(283)	(283)	(—)

The FY 1984 estimate of \$9,958,000 will provide funds for student transportation costs and necessary safety related maintenance and repair of school bus vehicles for the 1983-1984 school year. Extracurricular travel will be restricted as necessary. The reduction in FY 1984 is primarily the result of the closure of Mt. Edgecumbe off-reservation boarding school.

The estimated miles for FY 1984 for day student transportation total 31,150 miles which will serve 15,161 students. The requested level of funding would provide \$6,679,000 for day school transportation.

The estimated miles for FY 1984 for residential student transportation totals 2,622,417 which includes 415,210 air miles. The requested level of funding would provide \$3,279,000 for residential student transportation.

The requested funding for the Student Transportation Program for FY 1984 includes personal services costs for vehicle operators, GSA vehicle rental, vehicle supplies and equipment, vehicle maintenance and repair, and other transportation support costs.

#### E. Technical Support for Area and Agency Offices.

Base Program: The FY 1983 total for all technical support is \$8,644,000 which includes costs for education Management Information Systems (MIS) activities and for providing field level staff assistance to the Director, Office of Indian Education Programs (OIEP) and to exercise leadership in providing education

services and technical assistance to Indian people in all phases and levels of education programs. This amount represents approximately 3 1/2% of all OIEP funds.

In accordance with 25 CFR 39.128, technical support funds to Area and Agency Education Offices are distributed through a program supervision cost formula which utilizes Basic Funding Units (BFU's) to determine a funding need level. The number of BFU's generated by an Area or Agency Office is determined by several programmatic and functional levels as well as the sizes, types, and number of schools and tribes served.

An education office typically provides technical support and program supervision for several of the following education programs: (1) Public School Assistance (Johnson O'Malley); (2) Post-Secondary Education Programs; (3) Peripheral Dormitories; (4) Off-Reservation Boarding Schools; (5) Tribal Contract Schools; (6) Federal Title Programs; (7) Elementary and Secondary Programs; (8) Early Childhood Programs; (9) Adult Education Programs; (10) Exceptional Education Programs; (11) Student Support Services; and (12) Bilingual Programs.

Program management and direction responsibilities of field operations include providing line direction to and supervision over the operation of all Bureau education programs within their jurisdiction; implementing policies and procedures applicable to the jurisdiction; directing, supervising and facilitating program execution; monitoring and evaluating program services and systems; formulating budgets and financial programs; providing technical assistance and advice to subordinate programs and organizations; and responsibility through local school boards and tribal contractors for school operations.

Typical technical support activities include: 1) budget formulation and execution; 2) oversight, audit and review of financial accounting and reporting; personnel management; property management; transportation; general procurement; contract and grant management; operation, repair and maintenance of buildings, schools, and school support services; safety management; student rights and responsibilities; 3) automated education management system development and management; 4) certification of student counts; 5) preparation of reports to OIEP; 6) internal processing of personnel, contract, property and procurement requests; 7) providing technical assistance to tribes and contractors in formulation and development of contract/grant application and modification; 8) providing training to tribes/contractors in matters related to education programs; 9) providing counseling services to college students; and 10) supervising and managing the Higher Education Grant and Johnson O'Malley Education Assistance programs.

Accomplishments under the Management Information System (MIS) include the Indian School Equalization Program (ISEP) which is an automated data processing program that provides for the formula funding of Bureau operated and funded schools K through 12; a Higher Education Grants Reporting System; and data describing Bureau school characteristics. The Bureau has also developed and implemented an interim Student Enrollment System that is now being pilot tested, revised and enhanced to be able to collect a greater number of data elements; and a financial cost system that is compatible with the Bureau financial system and captures all data elements required under the Program Cost Accounting System. A Computer Assisted Instruction program for Bureau Schools is being pilot tested; and a Student Assessment survey of assessment instruments and developed strategies for the establishment of a Bureau student assessment program has been completed. Computer equipment has been installed at 84 selected Bureau school sites and area and agency education offices.

It is estimated that the achievement of the long-range goal involving a fully operational MIS system with each of the seven required information areas will be accomplished by the end of FY 1986. Each of the seven information areas, as well as the new information areas to be developed, follows a four phase system development cycle. Phase 1 of the cycle involves planning and project initiation. This phase involves user request/application and selection and conduct of a feasibility study. Phase 2 is the systems development step consisting of data gathering and fact finding, analysis, and system design. Phase 3 is the systems construction and implementation phase consisting of programming, system testing, documentation and conversion and implementation. Phase 4 is the final phase and consists of maintenance of the system, monitoring, evaluation of the system and revising and/or upgrading the system. Each of the seven required information areas will be completed through Phase 4 prior to the end of FY 1986.

In FY 1984, MIS plans to enlarge the permanent Student Enrollment System (now under contract) to include: mark reporting, scheduling, attendance, community demographics and transportation components. These additional components to be developed as part of the permanent system Student Enrollment System will greatly enhance the information system of Bureau schools.

MIS will begin the research, study and implementation phase to establish a Bureau-wide curriculum information system that every school can have access to for purposes of instruction. A Bureau-wide school personnel system is scheduled to be started and completed through Phase 2. A Student Assessment Information System will be undertaken and implemented in FY 1984 based upon recommendations from the Bureau Student Assessment Task Group expected in early 1983.

In FY 1984, development work on three systems will begin for possible implementation by MIS in FY 1984. These systems include a Public School Assistance (JOM) Information System, a Education Consolidation Improvement Act, Chapter I Information and Evaluation System, and a Contract School Standardization and Monitoring System.

The following is an estimated breakdown of the MIS FY 1984 budget estimate:

1. Maintain Permanent Student Enrollment System and expand to new components.	\$300,000
2. School Financial Cost System	110,000
3. School Personnel System	95,000
4. Student assessment system	105,000
5. MIS salaries, materials, supplies, travel and costs for ASC services.	<u>190,000</u>
TOTAL	\$800,000

The following table shows the planned MIS schedule for FY 1983 and FY 1984:

MIS SCHEDULE  
Plans for FY 1983 -1984

Information Areas	Pre - FY 1983	FY 1983	FY 1984
1. Indian School Equalization a. Financial Cost System b. Program Cost Accounting System	o--	--convert--o o--convert----- o--study-----	--imple.----- design and test
2. Student Enrollment Systems a. SES - Oklahoma Interim b. Special Education System	o--	---plan----- o---pilot----- o--operational-	--pilot test--- operational--o -----o
3. Student Assessment System		o----study-----	---design-----
4. School Facilities System 1/			o-reassess&rev.
5. Curriculum System			o---study----
6. Personnel System			o---study----
7. Community Demographics System			o----study-----
8. Higher Education Grants System	o-----	-upgrade & convert---	-finalize
9. Computer Assisted Instruction		o-policy dev.---	-pilot--imple.-
10. Budget Formulation System		o---manual-----	-computerize----
11. Contracting Standardization			o---study-----
12. Contracting Monitoring System			o---study-----
13. TCCC System			o-study-----
14. Program Monitoring/Evaluation System			o-study-----
15. Adult Education Information System			o-----
16. Special Scholarship System			o-----
17. Vocational Education System			o-----
18. Early Childhood Education System			o-----
19. Public School Assistance System			o-----
20. Chapter One Information System			o-----
21. Chapter One Evaluation System			o-----

Study  
Study  
Study  
Study  
Study  
Study  
Study

1/ MIS will review, reassess and make recommendations to FACCOM. No MIS funds will be involved.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Element</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
E. Technical Support Agency and Area Offices			
(\$)	8,644	9,060	+416
(FTE-T)	(212)	(212)	(--)

The FY 1984 request includes \$6,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors performing educational program supervision at the reservation level in order to comply with the requirements of Sec. 106(h) P.L. 93-638. The balance of the increase is requested for the MIS program.

The total funding level for Management Information System (MIS) activities in the FY 1984 estimate amounts to \$800,000 for continued system development. Upon full implementation, the MIS system will provide improved management and accountability of the Bureau's education programs through a structured data system. The MIS is required to include but not be limited to the following seven information areas: student enrollment, curriculum, staff, facilities, community demographics, student assessment information and financial costs and needs.

MIS activities for FY 1984 will include: completing the ISEP conversion to the Burroughs' computer system; upgrading and converting the Higher Education Grants System to the Burroughs' system; pilot testing the long-range Student Enrollment System; and completing phase 2 of the required Community Demographics, School Financial Costs, Personnel and Indian Student Assessment Systems. Plans also include pilot testing and implementing the Computer Assisted Instruction program in FY 1984.

F. Interim Formula Implementation Funds - Pre-Kindergarten

Base Program: A Congressional directive to the Bureau of Indian Affairs (P.L. 93-1292, August 14, 1974) required the Bureau "to provide to the House and Senate Committees on Appropriations an analysis of the need for a program in early childhood education together with recommendations for carrying out such a program in the future." Guidelines were prepared with tribes, "Request For Proposal" were sent to all Tribes and the program contracted to two tribes, Acoma and Mississippi Choctaw, for planning and operation.

With the passage of P.L. 95-561, the Pre-Kindergarten Programs were omitted from the Indian Student Equalization Program (ISEP). A new subpart was added to the regulations which "grandfathered" for two years 16 Pre-Kindergarten programs which received FY 1979 Education funding. The same level of funding was maintained in FY 1982 and FY 1983.

According to available data the current population of young Native American children (excluding Alaska) of Pre-Kindergarten age now living on or near Federally recognized reservations is approximately 88,600. The presently existing 16 Early Childhood (Pre-Kindergarten) Programs, partly or fully funded by the Bureau, (14 contracted to Tribes), serve approximately 1,084 children, ages 0-4 years. Available data indicates that approximately 22,350 children of this age receive Pre-Kindergarten developmental services through other agencies such as Headstart, serving 11,715 students; Education Consolidation Improvement Act, Chapter 1; Title XX, Social Services Block grants; Department of Health and Human Services; Office of Indian Education, parochial, tribal and other programs.

Decrease for 1984:

(Dollar Amounts in Thousands)

<u>Program Element</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
F. Interim Formula Implementation Fund (\$)	1,723	--	-1,723

The deletion of the Interim Formula Implementation Fund (-\$1,723,000) in FY 1984 discontinues Bureau education program funding for the pre-kindergarten program. The Conference Report on FY 1983 Appropriations states "the managers agree that this activity should either be terminated after fiscal year 1983 or funded through Social Services. The Bureau has chosen to terminate the program.

Object Class Distribution - School Operations Subactivity

<u>Position Title</u>	<u>Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Teacher.....	9/11	-58	\$-1,472,523
Education Program Administrator.	13	-1	-42,700
Guidance Counselor.....	9/12	-13	-366,614
Principal.....	12/13	-2	-76,306
Administrative Officer.....	9/12	-3	-85,788
Cook.....	WB 5/8	-17	-462,280
Educational Aide.....	3/6	-77	-1,120,585
Food Service Worker.....	WB 2/3	-8	-141,667
Supply Technician.....	5/6	-3	-67,981
Secretary Steno (T).....	4/6	-7	-120,270
Clerk Steno (T).....	3/4	-5	-64,282
Assistant Principal.....	11	-1	-29,410
Recreation Assistant.....	4	-5	-67,705
Education Specialist.....	9/11	-3	-86,785
Education Technician.....	4/6	-10	-191,742
Personnel Assistant.....	7	-1	-17,111
Recreation Specialist.....	7/10	-2	-43,498
Budget Technician.....	7	-1	-18,767
Guard.....	WB 4/5	-3	-43,271
Warehouseman.....	WB 4/5	-2	-50,211
Telephone Operator.....	3	-2	-22,710
Computer Clerk.....	4	-1	-14,735
Teller.....	5	-1	-17,383
Social Services Assistant.....	7	-1	-19,871
Positions Other Than Permanent..	Various	-75	-1,923,075
Subtotal.....		-302	-6,567,270
Lapse Percentage and other Adjustments* (+60%)..		+110	+3,935,270
Other Personnel Compensation.....		---	-217,000
Total Personnel Compensation (FTE-T).....		-192	-2,849,000
Personnel Benefits.....			-283,000
Travel and transportation of persons.....			-400,000
Communications, utilities, and other rent.....			-100,000
Printing and reproduction.....			-50,000
Other services.....			-2,172,000
Supplies and materials.....			-164,000
Total			- \$6,018,000

\* Lapse amount includes partial salaries paid, severance pay, lump sum leave payments and other benefits available to employees separated from Federal employment.

Justification of Program and Performance

Activity: Education  
 Subactivity: Johnson-O'Malley Educational Assistance

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983	FY	FY	Inc. (+)	Inc. (+)
		Approp. Enacted to date	1984 Base	1984 Estimate	Dec. (-) From 1983	Dec. (-) From Base
Johnson-O'Malley Educational Assistance	(\$)	26,229	26,229	26,000	-229	-229
Total Requirements	(\$)	26,229	26,229	26,000	-229	-229
<u>Distribution:</u>						
Tuition Payments	(\$)	580	580	--	-580	-580
All Other JOM	(\$)	25,649	25,649	26,000	+351	+351

Supplementary and Tuition Payments

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides educational and other services to federally recognized Indians. The Johnson-O'Malley Act of April 16, 1934, includes authorization of contracts for the education of Indians. The Indian Self-Determination Act of January 4, 1975, P.L. 93-638, amends the Johnson-O'Malley Act to provide for maximum Indian participation in Indian education and provides for tuition payments for Indian children. The Education Amendments of 1978 dated November 1, 1978, P.L. 95-561, authorizes development of an equitable distribution formula for supplemental funds.

Objective: To provide funding for supplemental programs for eligible Indian students in public schools, age three years through grade twelve, to meet their special and unique needs as determined by contractors and local Indian education committees.

Base Program (\$26,229,000): Indian children attending public schools have special and unique needs resulting from cultural, economic and social backgrounds. These needs have contributed to truancy, high dropout rates and loss of cultural identity. Some state Education Departments and public schools have not specifically addressed these particular problems of Indian students and communities in their basic education program. In earlier years, funding to states and public schools from the Johnson-O'Malley Act was generally used for basic support and operations. Congress enacted the Indian Self-Determination and Education Assistance Act to establish a revised program of assistance to upgrade Indian education in public schools.

The Johnson-O'Malley Act, as amended by P.L. 93-638, authorizes funding for supplemental programs for eligible Indian students in public schools, age three years through grade twelve to meet their special and unique educational needs as determined by contractors and local Indian education committees. These supplemental programs address specific educational needs due to the socioeconomic status of the parents or cultural factors. These programs include preschool

activities for three and four year-old children. This program also provides tuition payments to those public schools that educate out-of-district students residing in Federal dormitories.

In FY 1983, tuition payments to public schools for out-of-district students residing in Federal bordertown dormitories were made to the following school districts:

<u>School District</u>	<u>Federal Dormitory</u>	<u>No. of Students</u>
Flagstaff Unified Flagstaff, AZ	Flagstaff	12
Aztec Municipal Aztec, NM	Aztec	61
Sevier Richfield, UT	Richfield	145
	Total	218

The supplemental support portion of this program provides funds to conduct programs to meet the special and unique educational needs of Indian students attending public schools. This portion of JOM assistance is administered at the local level through contracts with tribal organizations, public school districts, and state Departments of Education. Under the Indian Self-Determination and Education Assistance Act (P.L. 93-638), parent committees must fully participate with the contractor in the planning, implementation, and evaluation of the contracted programs. The types of supplemental services include such programs as remedial tutoring, gifted and talented, home-school coordinators, teacher aides, early childhood programs, summer education and activity programs, educational field trips, and parental costs.

In FY 1982, this program provided services to 165,988 students in 26 states. In FY 1983 170,030 students are being served.

In FY 1982 there were 21,075 eligible students being served in Alaska. In FY 1983 the actual count is 21,643 students, or an increase of 568. Although a 4.7% increase was anticipated for the State of Alaska as a result of the day school transfers, a state-wide increase of only 2.7% was realized due to closer attention to eligibility requirements and declining enrollments throughout the State. However, due to Alaska's high cost of education, with a weighting factor of 2.19, the state allocation increased \$272,160 in FY 1983.

This program promotes cooperative relationships between Indian communities and school systems. Contractors and Indian Education Committees conduct needs assessments to determine the special and unique educational needs of their students. The programs funded are designed to meet the needs of a particular Indian community and may differ from area to area. Funding of programs under the Johnson-O'Malley Act is designed to supplement other school, state or Federal programs.

The growth in the number of tribal contracts from FY 1978 through FY 1984 is reflected below:

<u>Type of Contractor</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
Tribal Organizations	146	152	174	227	196	221	230
Public School Dist.	92	90	76	70	64	59	55
State Dept. of Educ.	6	6	6	6	6	6	6
<b>Total Contracts</b>	<b>244</b>	<b>248</b>	<b>256</b>	<b>303</b>	<b>266</b>	<b>286</b>	<b>291</b>

Supplemental support funds are distributed to eligible contractors based upon the number of eligible Indian students to be served. In order to ensure that JOM supplemental funds are used appropriately, proposed revisions to 25 CFR 273 have been developed. These revised regulations outline specific guidelines for development of the education plan including justification of need, educational objectives and evaluation. Education line officers will be responsible for assuring that the criteria in the education plan are met. The proposed rules were published on September 13 for a 60-day comment period ending November 12, 1982. Comments are being reviewed and given consideration prior to publication of the final rules.

Appropriated funds allocated by State on a pro-rata basis in FY 1983 are as follows:

FY 1983 JOM DISTRIBUTION BY STATE						
	*(1)	(2)	(3)	(4)	(5)	(6)
State (Area)	State Avg. Per Pupil Cost	State Weighting Factor	Number of Students Served	Weighted Student Unit (2 x 3)	State JOM Per Student Amount (Col. 2 x base amt. per WSU)	State Allocation (Cols. 5x3)
Alaska	\$ 5,108	2.19	21,643	47,398	\$279.41	\$6,047,342
(Juneau)			(21,294)	(46,634)		(5,949,828)
(Portland)			(349)	(764)		(97,514)
New York	3,638	1.56	2,026	3,161	199.04	403,255
Oregon	3,014	1.29	1,710	2,206	164.59	281,449
Wyoming	2,917	1.25	890	1,113	159.49	141,946
Kansas	2,679	1.15	810	932	146.73	118,851
Wisconsin	2,635	1.13	4,321	4,883	144.17	622,968
Montana	2,598	1.12	8,001	8,961	142.90	1,143,343
(Billings)			(7,196)	(8,060)		(1,028,309)
(Portland)			(805)	(901)		(115,034)
Minnesota	2,569	1.10	5,479	6,027	140.35	768,978
Washington	2,473	1.06	5,657	5,996	135.24	765,059
New Mexico	2,406	1.03	25,321	26,081	131.42	3,327,686
(Navajo)			(15,468)	(15,932)		(2,032,805)
(Albuquerque)			(9,853)	(10,149)		(1,294,881)
California	2,386	1.02	4,191	4,275	130.14	545,417
(Sacramento)			(3,571)	(3,642)		(464,730)
(Phoenix)			(620)	(633)		(80,687)
Michigan	\$ 2,352	1.01	1,870	1,889	\$128.86	\$ 240,972
Utah	2,338	1.00	4,207	4,207	127.58	536,755
(Navajo)			(3,233)	(3,233)		(412,486)
(Phoenix)			(974)	(974)		(124,269)
Colorado	2,324	1.00	735	735	127.58	93,776
Nebraska	2,318	1.00	1,365	1,365	127.58	174,155

FY 1983 JOM DISTRIBUTION BY STATE - Continued

	(1)	(2)	(3)	(4)	(5)	(6)
State (Area)	State Avg. Per Pupil Cost	State Weighting Factor	Number of Students Served	Weighted Student Unit (2 x 3)	State JOM Per Student Amount (Col. 2 x base amt. per WSU)	State Allocation (Cols. 5x3)
Iowa	2,260	1.00	496	496	127.58	63,283
(Aberdeen)			(306)	(306)		(39,041)
(Minneapolis)			(190)	(190)		(24,242)
Oklahoma	2,138	1.00	26,667	26,667	127.58	3,402,336
(Anadarko)			(9,458)	(9,458)		(1,206,708)
(Muskogee)			(17,209)	(17,209)		(2,195,628)
Florida	1,969	1.00	360	360	127.58	45,931
Arizona	1,922	1.00	37,171	37,171		4,742,500
(Navajo)			(18,707)	(18,707)		(2,386,752)
(Phoenix)			(18,464)	(18,464)		(2,355,748)
South Dakota	1,888	1.00	8,281	8,281	127.58	1,056,540
Maine	1,885	1.00	223	223	127.58	28,452
Nevada	1,830	1.00	4,279	4,279	127.58	545,941
Louisiana	1,812	1.00	77	77	127.58	9,824
Idaho	1,795	1.00	1,913	1,913	127.58	244,072
North Dakota	1,789	1.00	2,291	2,291	127.58	292,300
Mississippi	1,429	1.00	46	46	127.58	5,869
			170,030	201,033		
Supplemental Support.....						\$25,649,000
Tuition Payments.....						580,000
Total JOM Appropriations.....						\$26,229,000

\* State Average Per Pupil Cost is taken from unaudited, unpublished data of the National Council of Educational Statistics on "Current expenditures as defined by P.L. 81-874 and P.L. 89-109." National average per pupil cost is \$2,333. State JOM per student amount is \$127.58 (\$25,649,000 ÷ 201,033).

The distribution formula is applied as follows:

- (1) For every state above the national average, divide the "State Average Per Pupil Cost" by the national average per pupil cost. This will provide the weighting factor for those states above the national average per-pupil costs. The weighting factor for states equal to or below the national average per pupil cost is 1.00.
- (2) Multiply the weighting factor times the number of students served for each state. This will result in the number of weighted student units (WSU's) per state. For those states with a weighting factor of 1.00, the WSU's will equal the number of students served.
- (3) Divide the total number of WSU's into the total available allocation. This will provide the base amount per WSU.
- (4) To arrive at the "State JOM Per Student Amount," multiply the weighting factor for each state by the base amount per WSU.
- (5) To arrive at the "State Allocation" multiply "State JOM Per Student Amount" by "Number of Students Served".

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Johnson-O'Malley (\$) Educational Assistance	26,229	26,000	-229

The FY 1984 decrease of \$229,000 is the net result of the proposed elimination of the Tuition Payments program (-\$580,000); an increase in funding for All Other JOM (+\$137,000); and an increase (+\$214,000) to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in compliance with Section 106(h) of P.L. 93-638. The FY 1984 elimination of Tuition Payments will require students to attend public schools in their own district and participate as eligibles in funding programs provided by local sources, state sources, and Impact Aid. Agencies will notify both the affected school districts and parents of students that the Bureau will no longer be providing funds in the 1983-1984 school year for tuition payments for those out-of-district students residing in bordertown dormitories. Agency staff will work with dormitory personnel and parents to identify alternative Bureau and public school placements. The increase of \$137,000 for All Other JOM provides funds for 490 additional eligible students in Alaska expected as a result of 10 Bureau day schools proposed for transfer to the State of Alaska operation by the end of the 1982-83 school year.

In FY 1984, it is projected that this program will provide services to 172,000 students in 26 states with nearly 800 local Indian education parent committees helping to determine needs. This program will be administered through contracts with 230 tribal organizations, 55 public school districts, and 6 partial contracts with state Departments of Education.

Justification of Program and Performance

Activity: Education  
 Subactivity: Johnson-O'Malley Educational Assistance  
 Element: Alaska School Transfer

(Dollar Amounts in Thousands)

<u>Program Elements</u>	1983				
	Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
Alaska School Transfer (\$)	9,350	9,350	--	-9,350	-9,350

Educational Assistance, Alaska

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides educational and other services to federally recognized Indians.

Objective: To provide funding to the State of Alaska in increments associated with the estimated costs of upgrading Bureau day schools as those schools are transferred to State operation.

Base Program: The appropriation in FY 1983 for this program will remain available until expended. It will provide funds for costs associated with the transfer of all the remaining Bureau Alaska day schools to state operation. A portion of the funds will be transferred to the State as each school is transferred.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From Base
Alaska School Transfer (\$)	9,350	--	-9,350

Since the funds appropriated in FY 1983 are available until expended to assist the State in costs associated with the transfer of all remaining day schools to the State, further funds are not needed for this purpose.

Object Class Distribution - Johnson O'Malley Educational Assistance

Grants, subsidies, & contributions..... - \$9,579,000

Justification of Program and Performance

Activity: Education  
 Subactivity: Continuing Education

(Dollar Amounts in Thousands)

Program Elements		1983		FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date	FY 1984 Base			
A. Higher Education	(\$)	26,357	27,157 <sup>a/</sup>	26,043	-314	-1,114
B. Special Higher Education	(\$)	2,692 <sup>a/</sup>	1,892 <sup>a/</sup>	1,692	-1,000	-200
C. Adult Education	(\$) (FTE-T)	3,982 (68)	4,053 (67)	3,713 (67)	-269 (-1)	-340 (--)
D. Post-Secondary	(\$) (FTE-T)	8,181 (177)	6,134 <sup>b/</sup> (127)	6,392 (127)	-1,789 (-50)	+258 (--)
E. Tribally Controlled Community Colleges	(\$)	10,239	10,239	10,281	+42	+42
Total Requirements	(\$) (FTE-T)	51,451 (245)	49,475 <sup>a/</sup> (194)	48,121 (194)	-3,330 (-51)	-1,354 (--)
<u>Distribution:</u>						
Tribe/Agency Operations	(\$)	30,569	31,669 <sup>a/</sup>	30,150	-419	-1,519
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	136	+136	+136
Area Office Operations	(\$)	545	316	287	-258	-29
Centralized Schools	(\$)	8,181 <sup>b/</sup>	6,134 <sup>c/</sup>	6,392	-1,789	+258
Tribally Controlled Community Colleges	(\$)	9,464	9,464	9,464	--	--
Special Higher Education Programs	(\$)	2,692 <sup>a/</sup>	1,892 <sup>a/</sup>	1,692	-1,000	-200

<sup>a/</sup> 1983 column includes \$800,000 for local (tribe/agency) graduate student scholarships as designated by Congress in FY 1983; the 1984 Base column includes these funds under Higher Education.

<sup>b/</sup> Includes \$2,260,000 for the operation of SIPI.

<sup>c/</sup> Reflects the tentatively proposed transfer of SIPI to the Bureau Adult Vocational Training program.

Number of Continuing Education Students Served

	<u>FY 1983</u> <u>Estimate</u>	<u>FY 1984</u> <u>Estimate</u>	Inc. (+) or Dec. (-)
Higher Education Student Grants	16,915	17,895	+ 980
Special Higher Education Programs	316 <sup>a/</sup>	275	-41
Adult Education <u>b/</u>	12,891	11,763	-1,128
Post Secondary Schools <u>c/</u>	1,035	1,097	+62
Tribally Controlled Community Colleges	<u>3,205</u>	<u>3,789</u>	<u>+584</u>
Total	34,362	34,819	+457

a/ 1983 column includes the effects of grants from the \$800,000 designated by Congress in FY 1983 for local (tribe/agency) graduate student scholarships; the FY 1984 Base column has transferred funding for these grants back to Higher Education.

b/ Decrease in the number of students to be served reflects a reduced tribal priority for Adult Education.

c/ Excludes Southwestern Indian Polytechnic Institute (SIPI) which is tentatively shown under Employment Development for FY 1984.

A. Higher Education

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized Indians.

Objective: To provide financial aid to eligible Indian/Alaskan Native students to attend accredited post-secondary institutions which will enable them to meet their educational goals, develop leadership, and increase employment opportunities in professional fields so that they may contribute to the economic and social goals and objectives of the various tribes.

Base Program: The Higher Education Program awards grants to students who meet the following eligibility criteria: (1) Indian, Eskimo, or Aleut whose blood quantum is one-fourth degree or more; (2) member of tribe(s) which is federally recognized; (3) admitted for enrollment in an accredited college or university program leading primarily to a baccalaureate degree; and (4) financial need as determined by the institution's financial aid officer. A Certificate of Degree of Indian Blood or other proof of Indian blood certified by the Tribal Enrollment Office of the Bureau must be a part of the student's application. School Operations staff at the Area and Agency office level provide supervision for this program.

The FY 1983 Appropriation set aside \$800,000 in grant funds for graduate scholarships from local tribe/agency priority funds. In FY 1983 these specially designated funds were combined with the Special Higher Education Programs. It is proposed for FY 1984 that use of local funds be determined by tribal priorities.

In order to reflect this, the \$800,000 has been transferred back to the Higher Education student grants base for FY 1984.

Table 1 provides statistical and historical data for certain selected years (1949, 1960, and 1970) and for 1979 through 1984 to support the increasing importance of this program for Indian/Alaskan Natives. The Table also reflects the rising cost of education and the related program supervision costs.

TABLE 1 - HIGHER EDUCATION GRANT PROGRAM

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>No. of Students Assisted</u>	<u>Average Grant Size</u>	<u>No. of Graduates</u>	<u>No. of Tribal Contracts</u>	<u>Superv. Cost (\$) and as % of Appropriation</u>
1949 <sup>a/</sup>	\$ 9,390	\$ 78	\$ 120	1	0	\$ --
1960	250,000	612	408	65	0	--
1970	3,848,000	4,271	900	286	6	120,000 (3.1%)
1979	26,575,600	14,904	1,783	1,965	32	1,310,500 (4.9%)
1980	27,398,300	15,895	1,723	1,420	38	1,556,000 (5.7%)
1981	26,918,700	15,724	1,712	1,290	48	1,964,640 (7.3%)
1982	27,371,000	16,800	1,630	1,289	57	2,110,364 (7.7%)
1983 <sup>b/</sup>	26,357,000	16,915	1,558	1,307	60	2,126,775 (8.1%)
1984 <sup>b/</sup>	26,043,000	17,895	1,455	1,390	70	2,109,483 (8.1%)

<sup>a/</sup> First year of the Higher Education Grant Program.

<sup>b/</sup> Estimate

The financial aid "package" completed and certified by the institution's financial aid officer, serves as the principal basis for determining the Bureau grant amount. The Bureau grant award combined with the package of any other assistance cannot exceed the institution's determination of the student's need as stated in 34 CFR 674.15, 675.15 and 676.15, "Coordination with Bureau of Indian Affairs Grants-in-Aid."

The extent of replacement of portions of unmet need, loans, and work-study portions of packages is dependent upon the priority budgeted amount from tribes and the number of eligible students expected to apply from a particular tribe. Thus, students would be provided proportionately less amounts when a larger than anticipated number of eligible students apply. Table 2 shows the distribution of the funding sources for Indian students at the post-secondary level. The Bureau contribution is approximately fifty percent (50%) of the total assistance required.

TABLE 2 - SOURCES OF FUNDING FOR HIGHER EDUCATION STUDENTS

	<u>1982</u>	<u>1983</u>	<u>1984</u>
Total BIA Grant Awards	27,371,000	26,357,000	26,043,000
Private Sources <sup>a/</sup>	9,435,000	9,771,000	10,622,000
Institutional Awards <sup>b/</sup>	10,990,000	11,386,000	12,373,000
Other Public Sources <sup>c/</sup>	4,044,000	4,189,000	4,552,000
	<u>\$51,840,000</u>	<u>\$51,703,000</u>	<u>\$53,590,000</u>

<sup>a/</sup> Parent, student, tribal and private scholarship contributions.

<sup>b/</sup> Pell Grant, Supplementary Educational Opportunity Grant, National Direct Student Loan, and College Work Study.

<sup>c/</sup> Social Security, Veterans Administration, Welfare and State grants.

It is estimated that 70 tribes will have Bureau contracts to manage the Higher Education Program in FY 1984. The Higher Education funds which are used for program supervision purposes are those costs incurred by tribes to operate local programs under contract and for some area operated programs. In FY 1982, two locations used Higher Education funds to provide contract counselors at colleges and universities with large numbers of Indian students. Table 3 shows the staffing pattern for tribal contracts.

TABLE 3 - TRIBAL STAFFING PATTERN AT EACH LOCATION - FY 1982

	<u>TRIBAL CONTRACTS (70)</u>
Aberdeen.....	10
Albuquerque.....	18
Anadarko.....	6
Billings.....	10
Eastern .....	10
Juneau.....	14
Minneapolis.....	12
Muskogee.....	2
Navajo.....	10
Phoenix.....	6
Portland.....	10
Sacramento.....	--
Total.....	108

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Element</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Higher Education (\$)	27,157	26,043	-1,114

A net decrease of \$1,114,000 is proposed for FY 1984. The tribal priority program amount reflects a decreased demand for Higher Education programs (-\$1,231,000). The FY 1984 request includes an increase of \$117,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Section 106(h) of P.L. 93-638.

The average grant award is estimated to be \$1,455 for FY 1984 having awards ranging from \$200 for part-time students to \$6,000 for students having families with four or more dependents. An estimated 17,895 students will receive Bureau awards in FY 1984.

B. Special Higher Education

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized Indians.

Objective: To provide financial assistance to Indian students for graduate level study with special emphasis on students pursuing the professions of Law, Medicine, Forestry, Engineering and Business Administration.

Base Program: The five critical professions were identified by Congress in the early 1970's as being under-represented by Indian/Alaska Natives and the Bureau was instructed to encourage enrollment in these fields. Efforts are being made at all levels of education to increase the number of Indian/Alaska Natives in these critical professions.

Compared to FY 1983, the FY 1983 Appropriation provided an additional \$1,000,000 for the Special Higher Education program. Of this amount, \$800,000 was specifically designated by Congress from Tribe/Agency funds for locally awarded graduate scholarships. The balance of \$200,000 is being used for programs under the supervision of the Central Office. Since graduate students are eligible for grants awarded locally, it is proposed for FY 1984 that the \$800,000 be returned to the base program for Higher Education Student Grants, the funding of which is determined by the tribal priority process.

From 1970 through 1982, 2,395 students will have been admitted to the Special Higher Education program and 1,596 will have received advanced degrees for a completion rate of approximately 66.6%. Table 1 provides the relevant historical and statistical data for the program.

TABLE 1 - ENROLLMENT AND GRADUATES 1970 -1982

	Period 1970-1980	FY 1981	FY 1982	FY 1983 Estimate	Total	Compl. Rate
1. Law Program Enrollment	878	114	122	105	1,219	
Law Program Graduates	544	36	34	30	644	52.8%
2. Graduate Prog. (Central) Enroll.	920	218	143	126	1,407	
Grad. Prog. Graduates	765	139	78	66	1,048	74.5%
3. Local (Tribe/Agency) Enroll. <u>a/</u>	--	--	--	85	85	--
Local (T/A) Graduates	--	--	--	45	45	52.9%
Total Program Enrollment	1,798	332	265	316	2,711	
Total Graduates	1,309	175	112	141	1,737	64.1%

a/ This part of the program is being operated and included in this element in FY 1983 only.

In order that more Indian people can move into key decision-making management positions, it is essential that a person have a degree beyond the undergraduate level. This has been made possible through the graduate scholarship assistance program.

Centrally Awarded Graduate Student Grant Program: This program provides assistance to students who are pursuing concentrated courses of study in specific professional fields with emphasis in the five congressionally identified critical professions, i.e., Law, Medicine, Engineering, Business Administration and Natural Resources. Table 2 reflects the enrollment in these critical professions for FY 1981 and 1982. Table 3 provides average grant/FTE data for the program.

TABLE 2 - ENROLLMENT IN CRITICAL PROFESSIONS

	<u>FY 1981</u>	<u>FY 1982</u>
Law	114	122
Medicine	21	30
Natural Resources	2	3
Engineering	1	1
Business Administration	16	17
<b>TOTAL</b>	<b>154</b>	<b>173</b>

TABLE 3 - GRADUATE STUDENT PROGRAM (CENTRAL)

	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
1. Enrollment	218	143	126	150
2. Funding Level (\$000's)	\$800	\$771	\$ 800	\$728
3. Average Grant/FTE (\$)	\$3,670	\$5,392	\$6,349	\$4,853

Indian Law Program: This program provides assistance to students pursuing professional law degrees. Table 4 provides average grant/FTE data for the program.

TABLE 4 - INDIAN LAW PROGRAM

	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
1. Enrollment	114	122	105	125
2. Funding Level (\$000's)	\$1,880	\$1,034	\$1,092	\$964
3. Average Grant/FTE (\$)	\$16,491	\$8,475	\$10,400	\$7,712

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
B. Special Higher Education	(\$) 1,892	1,692	-200

The decrease in FY 1984 (-\$200,000) is due to not continuing the FY 1983 increase to the Special Law and Graduate Programs. The 1984 Base has been reduced (\$-800,000) in keeping with our policy of allowing the local level (TR/AG) to determine the level of graduate scholarships to support.

The proposed funding level for FY 1984 is as follows:

(Dollar Amounts in Thousands)

<u>Course of Study</u>	<u>FY 1983</u>	<u>FY 1984 Base</u>	<u>FY 1984</u>	<u>Decrease</u>
Law Program Student Grants	\$1,092	\$ 1,092	\$ 964	\$ -128
Graduate Student Grants	800	800	728	- 72
Local (Tribe/Agency) Grants	800	-0-	-0-	-0-
<b>Total</b>	<b>\$2,692</b>	<b>\$ 1,892</b>	<b>\$1,692</b>	<b>\$ -200</b>

Approximately 150 full-time equivalent (FTE) students are expected to receive centrally awarded graduate student grants in FY 1984 averaging approximately \$4,853 per year. About 80 students will receive their advanced degrees in FY 1984 (mostly Master's Degrees, with some PhDs).

A total of 125 students are to be funded under the law program with 35 expected to receive law degrees in FY 1984. Stipends vary with the financial need and college costs, and will average about \$7,712 per student per year for this program. To qualify for assistance under the law program, the applicant must meet all of the basic requirements of the Bureau's general scholarship program (see Higher Education Grant Program), have earned an undergraduate degree, and be officially admitted to a university graduate program. Pre-law students, or those requiring graduate studies to qualify to enter professional law programs, may be assisted by this program. However, students may not receive assistance from both programs at the same time.

### C. Adult Education

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized tribes.

Objective: The objective of the Adult Education Program is to provide opportunities for adult Indian/Alaskan Natives to complete high school graduation requirements, and gain new skills and knowledge for their self-enhancement as parents, citizens, consumers, and employees or employers.

Base Program: This educational program encompasses programs that address the problems of literacy, unemployment, under-employment, and self-improvement and training. The Bureau seeks to provide programs in the area of Adult Education targeting on the adult Indian/Alaskan Native population who live primarily in rural and isolated locations.

Adult Education programs are provided in the areas of basic academic and personal skills. Indian/Alaskan Native adults who have not obtained high school diplomas may complete their education through the high school level either by regular high school courses or General Education Development (GED) courses. Courses are also provided to improve the adults' competitiveness in seeking employment.

TABLE 1 - NUMBER OF ADULT EDUCATION PROGRAMS FY 1980 - 1983

	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>Tentative FY 1983</u>
Aberdeen	13	13	14	11
Albuquerque	6	6	6	7
Anadarko	5	5	4	2
Billings	4	4	3	2
Eastern	5	5	5	5
Juneau	9	9	9	8
Minneapolis	6	6	5	5
Muskogee	6	6	5	4
Navajo	6	6	6	5
Phoenix	6	6	6	7
Portland	11	11	11	10
Sacramento	3	3	3	2
TOTAL	80	80	77	68

Typical of the courses offered are: Adult Basic Education (ABE); Personal Finance; Income Tax Preparation; Driver's Education; ABE Teacher Training; Life-Coping Skills (Consumer Education, etc.); "How to complete and file employment applications"; Business Courses (typing, shorthand and filing, etc.); Arts and Crafts (students are taught to make items, for which their tribes are noted, for sale); College Extension Courses; Alcohol and Drug Abuse; and self-improvement to enhance upward mobility.

The course offerings are a direct result of the assessed need within the Area Office jurisdiction. The technique for the teaching of the adult Indian/Alaskan Native program participants is reflective of the area, taking into account and utilizing the cultural background of the individual and thereby instilling pride and confidence.

TABLE 2 - ADULT EDUCATION PROGRAM PARTICIPANTS

<u>Location</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>Tentative FY 1983</u>
Aberdeen	2,200	2,400	2,455	2,283
Albuquerque	1,755	2,062	1,693	1,574
Anadarko	1,077	1,300	1,520	1,413
Billings	220	322	284	264
Eastern	630	638	632	588
Juneau	175	155	137	127
Minneapolis	812	291	250	233
Muskogee	250	230	207	193
Navajo	1,679	1,790	1,508	1,403
Phoenix	161	154	166	155
Portland	620	650	666	620
Sacramento	900	4,385	4,341	4,038
TOTAL	10,479	14,377	13,859	12,891

The cost per student fluctuates from Area to Area due to the mobility of staff and students, i.e., students have an easier access to programs in Oklahoma whereas travel is more difficult in Alaska. The program directors conduct the needs assessment surveys, recruit participants, make home visits, and teach some courses. Similar programs have been found to be non-existent in other locales served by this program. In the situations where there has been participation by other state or Federal agencies, i.e., the state Department of Safety and the Internal Revenue Service, the programs were initiated by the local Bureau program director for the Adult Education program.

TABLE 3 - ADULT EDUCATION ALLOCATIONS (\$) BY LOCATION

<u>Location</u>	<u>FY 1981</u>	<u>FY 1982</u>
Aberdeen	\$431,244	\$494,500
Albuquerque	826,790	822,800
Anadarko	291,852	262,000
Billings	117,117	58,800
Eastern	420,155	459,300
Juneau	475,800	443,800
Minneapolis	63,637	79,900
Muskogee	275,616	265,300

TABLE 3 - ADULT EDUCATION ALLOCATIONS (\$) BY LOCATION - continued

<u>Location</u>	<u>FY 1981</u>	<u>FY 1982</u>
Navajo	574,992	638,600
Phoenix	143,352	135,400
Portland	428,670	461,000
Sacramento	551,925	537,600
TOTAL	\$4,601,150	\$4,659,000
Average Cost/ Participant	\$320	\$336

TABLE 4 - NUMBER OF GED CERTIFICATIONS AND PROGRAM COMPLETIONS a/

	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>Tentative FY 1983</u>	<u>Projected FY 1984</u>
GED Certificates	798	1,135	1,321	1,195	1,088
Prog. Completions	1,769	1,975	1,601	1,474	1,345
Total	2,567	3,110	2,922	2,669	2,433

a/ Program completion and GED certification are not synonymous. The Adult Basic Education Program responsibility ends upon the student's completion of the GED preparatory courses. The GED test and certification are administered by state officials, therefore, the number of GED certificates awarded is normally lower than the number of completions.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
C. Adult Education (\$) (FTE-T)	4,053 (67)	3,713 (67)	-340 (--)

The Adult Education program funding is based on tribal priority and the curriculum, is a direct result of the assessed needs of the Bureau service area. In FY 1984, 61 Tribe/Agency locations are expected to have an Adult Education program. The FY 1984 net decrease of -\$340,000 indicates a lower tribal priority for Adult Education (-\$330,000); an increase for 638 Pay Costs (+\$19,000) for tribal contractor employees as required by Section 106(h), P.L. 93-638; and a decrease at the Area Office level (-\$29,000) which has been made based upon Area Office priorities.

In FY 1984, it is estimated that 11,763 adult Indians will benefit from these programs in basic course offerings. As a result of this training, approximately 1,088 will receive GED certificates.

D. Post-Secondary Schools

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized Indians.

Objective: The objective of the two post-secondary schools, Haskell Indian Junior College (HIJC) and the Institute of American Indian Arts (IAIA), is to provide a variety of educational opportunities for Indian/Alaskan Native students at the junior college level. Graduates of these accredited schools can then enter four-year colleges, universities, or specialized art institutes.

Base Program: Southwestern Indian Polytechnic Institute was proposed for closure and then transfer to another vocational technical school in FY 1982 because (1) it has been costly to operate per full-time equivalent student compared to other Bureau vocational training programs and most non-Bureau vocational schools; and (2) other vocational technical school opportunities exist within the geographic area offering a wider variety of training opportunities from which students are more likely to secure jobs related to their training. However, at the direction of Congress, the Institute remains open during FY 1983 at a funding level of \$2,260,000 for education program operations. Consultation with the various tribes and other interested parties and formation of a Congressionally mandated task force have taken place to determine the future status of SIPI. Recommendations from the task force are expected by March 31, 1983. Based upon the task force recommendations concerning SIPI's future, including arrangements with other institutions, a decision on a proper funding level for FY 1984, and beyond, will be made. Should the Institute be contracted, the main source of Bureau funding would be through the Bureau's Adult Vocational Training (AVT) program and such a proposal is included in the AVT program on a tentative basis in FY 1984. Therefore, the FY 1983 funding for SIPI has been transferred in the 1984 Base to the AVT program for display purposes.

Haskell Indian Junior College (HIJC): Provides educational opportunities at the post-secondary level for Indian/Alaskan Native students in an environment conducive to learning and which is culturally compatible with American Indian traditions and philosophy. The college presents a comprehensive two-year liberal arts program designed to provide the academic credits needed for transfer to other colleges and universities leading to baccalaureate degrees. The school also provides job placement assistance for its students.

Institute of American Indian Arts (IAIA): Provides a unique junior college program in the arts. The school stresses the importance of basic education requirements as the focal point for the preservation of Indian/Alaskan Native culture and art. It serves as a repository for the history of art and this vast knowledge is helpful in giving the contemporary art student an identity with which he/she can relate. IAIA is presently leasing facilities of the College of Santa Fe, New Mexico.

Some Indian/Alaskan Natives have difficulty in competing in higher education because of: restricted academic backgrounds, low incomes, living in isolated areas, and a lack of college orientation programs. Special consideration in designing a curriculum best suited to Indian/Alaskan Native needs is a major concern, is strongly stressed, and is provided in Bureau post-secondary schools.

In FY 1983, the residential halls of the two post-secondary schools were filled to capacity. The instructional areas have been under-utilized. However, the geographical locations of the schools limit the number of commuting students. Table 1 shows the full-time equivalent student data.

TABLE 1-STUDENT FTE DATA

	<u>FY 1982</u>		<u>FY 1983</u> (Tentative)		<u>FY 1984</u> (Estimate)		<u>a/</u>
	<u>TOTAL FTE</u>	<u>DORM FTE</u>	<u>TOTAL FTE</u>	<u>DORM FTE</u>	<u>TOTAL FTE</u>	<u>DORM FTE</u>	
Haskell	925	733	885	752	885	752	
IAIA	155	100	200	160	212	160	
Total	1,080	833	1,085	912	1,097	912	

a/ Actual dormitory capacity.

The enrollment capacities of these two institutions are very small and economies of scale are not feasible. Comparative costs for the two institutions in FY 1982 are presented in Table 2.

TABLE 2 - COST OF ATTENDANCE BY INSTITUTION a/

	<u>Resident</u>	<u>Commuter</u>
Haskell	\$4,693	\$4,100
IAIA	7,962	7,300

a/ Reflects only educational program costs.

The number of Indian/Alaskan Native students awarded Associate Degrees or certificates of completion from the three schools is shown in Table 3.

TABLE 3 - NUMBER OF GRADUATES

	<u>FY 1982</u>	<u>FY 1983</u> (Estimate)	<u>FY 1984</u> (Estimate)
SIPI	281	157	Undetermined
Haskell	122	150	180
IAIA	29	46	50
Total	432	353	230

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
D. Post-Secondary	(\$)	6,134	6,392	+258
	(FTE-T)	(127)	(127)	(--)

The average daily membership (ADM) in the two post-secondary schools and the estimated average per pupil cost, which includes instructional as well as residential cost, for FY 1984 are as follows (table 4):

TABLE 4 - COST PER FTE a/

<u>School</u>	<u>FY 1984 FTE (Est)</u>	<u>FY 1984 Cost/FTE (Est)</u>	<u>Total FY 1984 Budget</u>
Haskell	885	\$5,433	\$4,808
IAIA	212	7,472	1,584
Total	<u>1,097</u>	<u>\$5,827</u>	<u>\$6,392</u>

a/ Reflects only educational program costs.

The FY 1984 net increase for Post-Secondary Schools is +\$258,000. A proposed increase for Haskell of +\$272,000 represents an increase of +\$300,000 for the Audio-visual and film library functions and a decrease of -\$28,000 resulting from a reduction for program supervision. There is proposed a decrease for Institute of American Indian Arts of -\$14,000. This is the result of a proposed reduction for program supervision.

The FY 1984 funding levels for the two post-secondary schools are as follows:  
(Dollar Amounts in Thousands)

<u>School</u>	1983		FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
	Approp. Enacted to date	FY 1984 Base			
Haskell	4,393	4,536	4,808	+415	+272
IAIA	1,528	1,598	1,584	+56	-14
Total	5,921	6,134	6,392	+471	+258

An analysis of the funding levels for Bureau post-secondary schools follows:

1. The FY 1984 level of funding will permit continuation of Haskell at an enrollment level of 885 students and will continue all essential programs necessary for meeting accreditation requirements. The proposed increase of \$272,000 will provide funding for the audio-visual film functions transferred from OTAT.
2. The FY 1984 level of funding will permit continuation of an alternative Arts program through the leasing of classroom and residential facilities from the College of Santa Fe for an enrollment of 212 students.

E. Tribally Controlled Community Colleges

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including education, to federally recognized Indians. P. L. 95-471 is the authority under which funding for Tribally Controlled Community Colleges is provided by the Secretary.

Objective: The objective of the program is to provide financial assistance to Tribally Controlled Community Colleges so that Indian/Alaskan Native students may further their education in a supportive environment in close proximity of the Indian reservations and Alaskan Native villages.

Base Program: The Indian Self-Determination and Education Assistance Act (P.L. 93-638) states the role of the Federal Government is to provide comprehensive education programs and services for Indian/Alaskan Natives. Community colleges

are governed by a local board of regents, a majority of whom are Indian. This enables the sponsoring tribes to pursue educational goals for their people compatible with the needs and assessments of the tribes. Tables 1 and 2 present summary data with respect to sources of funds, number of graduates, and cost per student FTE for the Tribally Controlled Community Colleges for FY 1982 through FY 1984.

TABLE 1 - SUMMARY OF SOURCES OF FUNDS  
(Dollar Amounts in Thousands)

Funding	FY 1982		FY 1983 (Tentative)		FY 1984 (Estimate)		Increase/Decrease FY 1983 - FY 1984	
	Grant	FTE	Grant	FTE	Grant	FTE	Grant	FTE
Title I	\$5,897	2,087	\$5,506	2,305	\$5,506	2,655	--	+350
Title II	3,840	800	3,840	900	3,840	1,134	--	+234
Tech.Asst.	574	--	118	--	118	--	--	--
Snyder Act	352	--	775	--	817	--	+42	--
Totals	\$10,663	2,887	\$10,239	3,205	\$10,281	3,789	+\$ 42	+584

TABLE 2 - SUMMARY OF GRADUATES AND COST PER FTE (\$)

	FY 1982	FY 1983 (Tentative)	FY 1984 (Estimate)	Increase/Decrease FY 1983 - FY 1984
Graduates	492	594	700	+106
Cost/FTE (\$)	\$3,693	\$3,195	\$2,713	-\$482

TABLE 3 - AVERAGE COST (\$) OF COLLEGE ATTENDANCE BY TYPE OF INSTITUTION

Bureau Funded Program Type of Institution	Resident	Commuter
TCCCs - Title I	\$4,600	\$2,064
NCC - Title II	7,101	4,831

Bureau grants are used by tribal colleges in lieu of local tax funds because they are located on non-taxable Indian lands. Operating grants serve as seed money for tribal colleges to obtain additional financial assistance from other sources to complement their total budgets.

The FY 1984 budget provides financial assistance to a total of 18 tribal colleges. Three tribes are expected to request feasibility studies in FY 1983 and if approved will be eligible for funding in FY 1984. Title I of Public Law 95-471 provides authorization for a distribution of funds in an amount not to exceed \$4,000 per FTE Indian student. The Conference Report for FY 1983 Appropriations states that "The full-time equivalent student payment to tribally controlled community colleges shall be maintained at \$2,812."

The minimum requirements for funding of the tribally controlled community colleges under Public Law 95-471 is a positive feasibility study. The feasibility study is based on three criteria: (1) the tribal college is feasible to the extent that it meets the requirements of the law, will continue to operate, and will provide quality education; (2) feasibility can be determined by the implicit and explicit comparison of the school with other similar institutions; and (3) the feasibility study model is capable of assessing the tribally controlled community college's ability to fulfill the statutory and regulatory requirements.

The Bureau Director of Indian Education Programs has the final responsibility for determining "whether there is justification to encourage and maintain a tribally controlled community college."

The funding of some of the tribally controlled community colleges is supplemented with Snyder Act funds. This is done in order to fulfill the Bureau's commitment to continue assistance to the colleges at the levels of funding determined by tribal priorities under a budget development system established prior to the implementation of Public Law 95-471. This amount totaled \$775,000 in FY 1983 and \$817,700 for FY 1984, or a increase of \$42,000 (see Tables 1 and 4).

Title II of Public Law 95-471 exempts the Navajo Community College (NCC) from being included in ratably distributed funds. Title II has been amended to fund NCC at an amount equal to the amount necessary for operation and maintenance of the college including, but not limited to, administrative, academic, and operation and maintenance costs. Navajo Community College will receive the same funding level of \$3,840,000 for FY 1984 as was provided in FY 1983 (see Table 7).

Table 4 reflects the prorata distribution of funds per student FTE for the Tribally Controlled Community Colleges pursuant to Title I of Public Law 95-471. It also reflects distribution of funds under Title II, the Snyder Act, and funds for Technical Assistance and Feasibility Studies.

TABLE 4 - Distribution of Funds & FTE

College	Tentative FY 1983		Estimate FY 1984		Increase (+) or Decrease (-)	
	Student FTE	Grant	Student FTE	Grant	FTE	Grant
Standing Rock	150	\$ 358,308	195	\$ 404,397	+45	+46,089
Blackfeet	245	585,237	300	622,147	+55	+36,910
Sinte Gleska	200	477,744	240	497,718	+40	+19,974
Turtle Mountain	210	501,631	250	518,456	+40	+16,825
Salish Kootenai	160	382,195	180	373,287	+20	-8,908
Ganado	100	238,872	115	238,489	+15	-383
Little Hoop	40	95,549	45	93,322	+5	-2,227
Sisseton-Wahpeton	100	238,872	118	244,711	+18	+5,839
D-Q University	140	334,421	140	290,335	---	-44,086
Fort Berthold	55	131,380	65	134,799	+10	+3,419
Dull Knife	145	346,365	160	331,812	+15	-14,553
Oglala Sioux	350	836,052	350	725,837	---	-110,215
Nebraska	165	394,139	200	414,764	+35	+20,625
Lummi	60	143,323	60	124,429	---	-18,894
Little Big Horn	50	119,436	60	124,429	+10	+4,993
Fort Peck	65	155,267	84	174,201	+19	+18,934
Cheyenne River	70	167,209	93	192,867	+23	+25,658
Lac Courte						
Oreilles Ojibwa <u>a/</u>						
Colville Confederated Tribes <u>a/</u>						
All Indian Pueblo Council <u>a/</u>						
Subtotal- Title I	2,305 <sup>b/</sup>	\$5,506,000 <sup>b/</sup>	2,655	\$5,506,000	+350	-0-

TABLE 4 - Distribution of Funds & FTE - Continued

College	Tentative FY 1983		Estimate FY 1984		Increase (+) or Decrease (-)	
	Student FTE	Grant	Student FTE	Grant	FTE	Grant
Technical Assistance and Feasibility Studies		117,800		117,800		-0-
Navajo Community College-Title II	900	3,840,000	1,134	3,840,000	+234	---
Subtotal-Title I and Title II		\$9,463,800		\$9,463,800		-0-
Sinte Gleska <u>c/</u>		-0-		119,500		+119,500
Dull Knife <u>c/</u>		407,700		366,900		-40,800
Oglala Sioux <u>c/</u>		306,900		276,200		-30,700
Turtle Mountain <u>c/</u>		60,600		54,600		-6,000
Subtotal Snyder Act		\$ 775,200		\$ 817,200		+\$42,000
Total Estimate	3,205	\$10,239,000	3,789	\$10,281,000	+584	+\$42,000
Average Cost/FTE		\$ 3,195		\$ 2,713		-\$ 482

a/ These tribes are expected to request feasibility studies in FY 1983 to be eligible for funding in FY 1984.

b/ Amount of funding and number of FTE associated with the operation of 17 TCCC's are based on revised data since the submission of the President's Budget.

c/ Supplemental funds under Snyder Act in addition to funds made available under Title I. These amounts are determined by tribal priorities.

The technical assistance amount of \$117,800 is provided to assist the tribal colleges in gaining full accreditation and maintaining quality cost effective program operations. In FY 1984 requests for feasibility studies will be conducted by Bureau staff.

An operational grant, as opposed to a Public Law 93-638 tribal contract, is provided to each tribal college once it is determined that they are eligible under the provisions of Public Law 95-471.

An audit by the Interior Office of the Inspector General of all 18 tribally controlled community colleges is scheduled in fiscal year 1983 to determine compliance of the colleges to statutory and regulatory requirements. An annual audit of the FTE Indian student count is made by the BIA Office of Indian Education Programs staff and an independent financial audit is made annually by the college.

Table 5 shows the list of tribally controlled community colleges and the comparative data on the number of FTE Indian students, graduates, accreditation status and degree, and the types of degrees and certificates awarded by each College.

TABLE 5 - FTE and Graduates

Tribal College	FTE			GRADUATES			Accreditation	Degrees <sup>d/</sup> Certificates Offered
	FY 1980	FY 1981	FY 1982	FY 1980	FY 1981	FY 1982		
Standing Rock	111	142	154	36	23	23	Cand	AD, AA, AS, Voc. Cert.
Blackfeet	83	184	211	93	96	80	Cand	AA, AAS, Voc. Cert.
Sinte Gleska	173	197	181	11	26	23	Cand	AS, AAS,
Turtle Mountain	107	159	198	21	39	50	Cand	AA, AAS, Voc. Cert.
Salish Kootenai	90	118	162	7	16	40	Cand	AA, AAS, Voc. Cert.
Ganado	131	84	99	21	15	8	Accred	AA, AAS,
Little Hoop	35	21	41	4	2	11	NA	AAS, Voc. Cert.
Sisseton-Wahpeton	--	72	84	--	4	36	NA	AA, Voc. Cert.
D-Q University <sup>b/</sup>	76	91	99	3	9	10	Accred	AA, AS
Fort Berthold	--	46	49	--	15	14	Cand	AA, Voc. Cert.
Dull Knife	93	73	104	3	14	16	Cand	AA, AAS, Voc. Cert.
Oglala Sioux	282	282	331	26	33	50	Cand	AA, BS Voc. Cert.
Nebraska	109	128	183	19	12	20	Cand	AA, AS, AAS, Voc. Cert.
Lummi <sup>b/</sup>	--	40	33	--	18	18	Cand	AS
Little Big Horn <sup>c/</sup>	--	--	32	--	--	--	NA	AA, Voc. Cert.
Fort Peck <sup>b/</sup>	--	52	60	--	6	13	NA	AA, AAS, Voc. Cert.
Cheyenne River <sup>c/</sup>	--	--	66	--	4	2	NA	AA, AS, Voc. Cert.
NCC	668	868	800	85	80	76	Accred	AA, AS, ASN AAS, Voc. Cert.
Total	1,958	2,557	2,887	329	412	490		

- a/ Accred - Fully accredited by a recognized accreditation association.  
 Cand - Candidate status towards accreditation.  
 NA - Not accredited but meets the three institutional certification requirements of Public Law 95-471.
- b/ Funded in FY 1981.
- c/ Funded in FY 1982.
- d/ Degrees Awarded by TCCC:
- ASN - Associate of Science Nursing (R.N. and L.P.N. - at NCC 80% of the students must pass State examinations in order for the program to maintain accreditation).
  - AA - Associate of Arts
  - AS - Associate of Science
  - AAS - Associate of Applied Science
  - BS - Bachelor of Science
  - Voc. Cert. - Vocational Certificate, at least 1 year but not more than two years in a vocational program. (Students must pass a proficiency examination in vocational programs).

Increase for FY 1984:

(Dollars in Thousands)

<u>Program Elements</u>	FY 1984	FY 1984	Inc. (+)
	<u>Base</u>	<u>Estimate</u>	Dec. (-)
			<u>From Base</u>
E. Tribally Controlled			
Community Colleges (\$)	10,239	10,281	+42

The increase of \$42,000 reflects an increased tribal priority for this program for those tribes adding (Snyder Act) funding to their Title I grants.

The Title I portion of the FY 1984 budget request allows \$2,074 per FTE Indian student on a prorated basis, compared to \$2,389 in FY 1983 because of an estimated increase in enrollment of 350 student FTE (See Table 6).

TABLE 6 - TITLE I FUNDS

	FY 1983		FY 1984		Increase/Decrease	
	Tentative		(Estimate)		Grant	FTE
	Grant	FTE	Grant	FTE		
Title I	\$5,506,000	2,305	\$5,506,000	2,655	-0-	+350
Grant/FTE	\$ 2,389	a/	\$ 2,074		\$ -315	

1/ The FY 1983 Appropriations Conference Report, mandates that the full-time equivalent student payment shall be established at \$2,812; should additional funds be required, education administrative (program supervision) money shall be reprogrammed to cover the deficit.

Title II amends the Navajo Community College Act of 1971 for the purpose of providing grants to this institution for construction, operation, and maintenance. Navajo Community College will receive the same level of funding of \$3,840,000 for FY 1984 as was provided in FY 1983 (See Table 7).

TABLE 7 - TITLE II FUNDS

	FY 1983		FY 1984		Increase/Decrease	
	Tentative		(Estimate)		Grant	FTE
	Grant	FTE	Grant	FTE		
Title II	\$3,840,000	900	\$3,840,000	1,134	-0-	+234
Grant/FTE	\$ 4,267		\$ 3,386		-\$881	

Object Class Distribution - Continuing Education Subactivity

Communications, utilities & other rent.....	\$ -29,000
Other services.....	+ 258,000
Grants, subsidies, & contributions.....	<u>\$-1,583,000</u>
Total.....	<u><u>-\$1,354,000</u></u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Tribal Government Services

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
A. Aid to Tribal Government	(\$)	17,763	17,662	15,981	-1,782	-1,681
	(FTE-T)	(179)	(175)	(175)	(-4)	(--)
B. Tribal Courts	(\$)	7,710	7,710	7,553	-157	-157
Total Requirements	(\$)	25,473	25,372	23,534	-1,939	-1,838
	(FTE-T)	(179)	(175)	(175)	(-4)	(--)
Distribution:						
Tribe/Agency Operations	(\$)	17,486	19,183	17,951	+465	-1,232
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	296	+296	+296
Area Office Operations	(\$)	3,865	2,130	1,895	-1,970	-235
Central Office Staff Operations	(\$)	1,419	1,356	1,424	+5	+68
Other Indian Services Programs	(\$)	2,703	2,703	1,968	-735	-735
Special Tribal Courts	(\$)	(639)	(639)	(400)	(-239)	(-239)
New Tribes Undistributed	(\$)	(2,064)	(1,068)	(1,568)	(-496)	(+500)
New Tribes Distributed	(\$)	(--)	(996)	(--)	(--)	(-996)

A. Aid to Tribal Government

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians and it is under this authority that Tribal Government Services are provided. P.L. 96-240 (The Maine Indian Claims Settlement Act of 1980) is the authority under which special programs are to be provided to the Indians of Maine in settlement of their claims. P.L. 93-134 (The Indian Judgment Funds Distribution Act of 1973) makes the Secretary responsible for completion of certain tasks, within specified time-frames, relative to judgment awards of the Indian Claims Commission or the Court of Claims.

Objectives: To improve the tribal government's operational capabilities through the provision of technical and financial assistance to tribes so they can exercise the full range of their inherent powers in an effort to better serve their tribal members and communities. To insure the timely submission of judgment plans assuring to the greatest extent practicable that tribal plans for the utilization of their money are adopted. To timely process petitions from non-federally recognized Indian tribes or groups to determine their relationship with the Federal Government.

Base Program (\$17,662,000): The Aid to Tribal Government subactivity contains a number of separate and distinct program elements providing technical and/or financial assistance to Indian tribes. Each program element is discussed in more detail below.

A. Community Services General (\$1,173,000 - FTE 15):

Tribe/Agency	\$485,000	FTE	--
Area Offices	\$528,000	FTE	11
Central Office	\$160,000	FTE	4

Provides the staff responsible for advising line officers (Area Directors, Assistant Secretary, Deputy Assistant Secretaries) with respect to all Indian Services programs. For example, in the Central Office it consists of the entire Office of the Director of Indian Services. At the Area level it would typically consist of an assistant area director and immediate office. At the Agency level funds have been established by tribal priorities primarily to carry out the consolidated human resource programs, usually under P.L. 93-638 contracts. This bureauwide staff costs about \$500,000 and is responsible for advising on policy and operations of the \$241 million Indian Services programs. In addition, this office has assumed responsibility for managing and providing staff advice for the credit and financing and the employment assistance programs when they were transferred after the office of Tribal Resources Development was abolished.

B. Community Fire Protection (\$562,000 - FTE -0-): This program is necessary for those tribes that do not receive community fire protection services from state or local governments. Approximately nineteen (19) locations throughout the Bureau have funds provided in this category. It is difficult to tell the exact number of tribes participating in the program because in many instances the Tribe/Agency funding is at multi-tribal agencies. The funding range is from \$900 at one agency to slightly more than \$40,000 at another.

Both the Federal and the tribal government's investment in housing and other buildings are better protected when the tribes have the capability to fight structural fires. Program funding is used to train volunteer fire fighters, repair of existing fire fighting equipment, purchase of additional fire fighting equipment, and, for personnel costs.

For example, during FY 1982 the Fort Hall Agency was allocated \$20,000 for Community Fire Protection. Approximately \$11,000 of that money was used by the tribe for the repair and maintenance of a 750 gallon pumper furnished by the Bureau in addition to one-300 gallon quick response unit and two-200 gallon quick response units owned by the Shoshone-Bannock tribes. The remaining funds have been combined with tribal funds and used for training its 32 person fire crew in the area of safety, pump operation, initial fire attack, chemical fire and all structural fires. The Fort Hall fire department has the responsibility for providing fire protection to 884 Indian homes, 1,400 non-Indian homes, 4 schools, 11 businesses and 6 churches. The service population is approximately 3,600 people.

C. Agriculture Extension (\$2,316,000 - FTE -0-): This program is one in which the Bureau contracts either directly with State land grant colleges or with the tribes, who in turn subcontract with the colleges. The program's purpose is for the colleges to provide technical advice and assistance to the tribe and its members in areas such as agriculture, soil restoration, crop rotation, animal husbandry, home extension services, and 4-H Club activities. During FY 1982 there were contracts with 20 colleges to provide services to 44 tribes in the lower 48 States and with Alaska Native Associations to provide services to 70 Alaskan groups.

In the lower 48, a typical contract covers the cost of the salary for the extension agent, home economist and clerical staff. Their duties usually include training, educational programs on animal husbandry, new and better crop production methods, forage and pasture management, noxious weeds, weed control, food and nutrition, home economics and management, family life and finance, clothing and textiles, animal diseases, and disposal of diseased animals.

In Alaska, with the land area being so vast and in the interest of achieving the most economical utilization of these fiscal resources, the contracts are with the Native Associations. The services they provide include training and educational programs in the areas of reindeer management, subarctic agriculture, gardening, food and nutrition. Two of the Native Associations have contracts for experimental farming projects.

D. All Other Aid to Tribal Government (\$11,547,000 - FTE 160): This program element is the core of the effort undertaken to address the objectives set out above. The Tribal Government Services staff, located at all three organizational levels of the Bureau, provides the day-to-day advice and assistance to Indian tribes relative to the tribal objective of providing effective tribal governmental services to their members and communities.

A majority of Indian tribes have adopted organizational documents (constitutions) under authority of the Indian Reorganization Act of 1934. These documents were a reflection of past needs and times and were justified on a then perceived need for regulatory supervision of tribal affairs through establishing passive governments which would act in an advisory capacity to the Bureau. The documents today are regarded as impediments to tribal governmental functions because of their limited authorities and powers which were enacted with no regard to the vast range of inherent tribal powers. With a recognition of today's realities, tribes see the critical need to develop governments capable of exercising the full scope of their powers and to develop the tribal capability to deliver a wide range of governmental services to the tribal members and communities. More and more, Indian tribes see the need to protect inherent tribal rights through governmental capacity building in areas such as regulating land use, taxation, commercial transactions, natural resources development or protection, and comprehensive law and order codes. The Aid to Tribal Government program is designed to meet these needs.

The Aid to Tribal Government program and staff provides both technical and financial assistance to 501 federally recognized Indian tribes to improve their ability to perform their governmental functions. Basically, this program concentrates on those governmental activities in which the tribal government is acting as a government per se rather than when they function as managers of service programs for their members. This latter type of assistance is provided under Self-Determination Services and appears under that program budget. For example, the Tribal Government Services staff would work with the tribe in drafting an amendment to a constitution which permits tribal contracting and then assist, if necessary, in the process of tribal adoption of the amendment.

Aid to Tribal Government staff and funds, especially at the Agency and Area levels, are used to assist tribes in the development, improvement or amendment of tribal constitutions, by-laws, codes and ordinances and membership rolls; the conduct of elections; review and approval of tribal attorney contracts; assuring the integrity of the separate branches of government; issues involving intra-tribal disputes, membership, recall and removal; and related assistance to tribal government activities in general. Bureau staff either drafts or assists in drafting governing documents or amendments thereto or ordinances which will regulate the day-to-day affairs of the tribe, its members and other reservation residents. Efforts in this area are ongoing and reflect a commitment to modernize tribal governing documents so they reflect modern realities and to equip tribes with the mechanisms to adequately deal with and regulate their affairs. Since many tribal governing documents were adopted almost 50 years ago utilizing "boiler-plate" provisions of limited scope, the documents are ill-suited for dealing with the demands placed upon tribal governments in today's world. Additionally, there is a high degree of staff involvement in intratribal disputes which have the capacity to tear apart the tribal fabric. This involvement requires monitoring of the dispute, mediating resolution efforts and when resolution efforts fail, recommending specific action to Bureau line officials.

Tribal Government Services Staff at the Central Office level perform the detailed ethno-historical research concerning beneficiaries of judgment awards and process detailed plans after soliciting tribal input, or prepare the legislation, for tribal use of the judgment funds in compliance with the Indian Judgment Funds Distribution Act. The type of work performed includes the identification of modern-day tribal beneficiaries and often involves complex multi-tribal determinations and where more than one tribe is involved to obtain tribal agreement on the proposed division of funds. The Area/Agency staff is required to conduct Hearings of Record at the reservation communities to allow the tribal membership to give their views on the tribal proposal for use of the judgment funds and for the development of a Judgment Fund Distribution Plan for submittal to Congress, or the preparation of legislation which will provide for the judgment funds distribution. Subsequent to this activity, the program develops the eligibility criteria which will govern individual rights to participate in the judgment fund distribution. In those instances where the funds are to be distributed to descendants of historical tribes, the Bureau establishes the enrollment criteria and processes the enrollment applications pursuant to published regulations. Once the applications are received by the Area Director, or Superintendent, the Tribal Government Services staff performs the genealogical review of the membership applications, processes membership appeals if an individual is rejected for enrollment and approves the final roll to cover payments. Several thousand enrollment appeals are processed annually by both the Area and Central Office program levels. The staff work, generally, is carried out at the Agency, Area and Central Office levels. Additionally, in regard to claims awards, the Central Office staff makes the requisite recommendations on claims settlement proposals before the U.S. Court of Claims submitted by tribal claims attorneys and Department of Justice attorneys, and audits claims attorney fee and expense vouchers after judgments are awarded.

It is estimated that 70 percent of the Aid to Tribal Government subactivity is performed under contracts with the tribes. The funds provided allow the tribes to develop needed legislation in previously unregulated areas, to modify their governing documents, to maintain membership rolls, to conduct amendment elections, and to insure their input in the development of judgment fund plans.

In addition to providing all of the above mentioned staff advice services to Bureau line officers, the Central Office level of this program is also responsible for the detailed research and processing of petitions for the Federal acknowledgment of Indian groups not currently recognized by the Bureau. The Bureau has established criteria, found at 25 C.F.R. 83, which is used to evaluate these petitions. This segment of the program serves as the final review level on proposed tribal constitutional amendments or modifications, administrative appeals on tribal government issues, enrollment appeals, judgment fund plans or legislation and on recommendations concerning Indian claims in the U.S. Court of Claims. This program level is also responsible for the development of bureauwide tribal government-related policy. The program is also the initial funding source for programs to serve those tribes which are successful in petitioning for acknowledgment or who gain recognition through Federal legislation or judicial decision.

E. New Tribes (\$2,064,000): As new tribes gain acknowledgment they become entitled to receive Federal services on the same basis as currently recognized tribes. Unless new funding is set aside for these newly acknowledged tribes they could only be funded at the expense of current programs operating at other tribes. New tribes are expected to assess their needs, design or propose operational programs to meet those needs, and submit proposed budgets to implement the proposed programs. This portion of the program then provides the initial source of funding for newly acknowledged tribes so that they can begin regular federally funded operations under their proposed budgets. Funding for newly acknowledged tribes who have had their program budgets approved are carried in the Summary Table of Funding under the Undistributed category until such time as their funding level can be reflected in the Tribe/Agency base. At this time their funding is transferred to the Distributed category and Undistributed is reduced accordingly. Funds from New Tribes are used to support a wide variety of needs as expressed by the newly acknowledged tribe. These needs cover such things as social services, enrollment, housing improvement, adult vocational training, natural resources conservation, reservation planning, higher education scholarships and development of tribal organic documents.

Workload Data: Since the Community Fire Protection and Agriculture Extension programs are essentially tribal contract programs, no measurable workload indicators are provided. Workload indicators for All Other Aid to Tribal Government are provided on the following table:

	<u>Actual FY 1981</u>	<u>Actual FY 1982</u>	<u>Estimated FY 1983</u>	<u>Estimated FY 1984</u>	<u>Change</u>
Judgment Fund/ Per Capita Payment Rolls	63	68	75	88	+13
Enrollment Appeals					
Appeals Completed			2,300	2,400	+100
Appeals Pending			3,200	2,090	-1,110
Total	5,713	6,319	5,500	4,490	-1,010
Rolls other than Judgment Funds/ Per Capita Rolls	129	158	182	209	+27
Judgment Fund Plans, Legislation & Hearings	35	48	52	47	-5

	<u>Actual</u> <u>FY 1981</u>	<u>Actual</u> <u>FY 1982</u>	<u>Estimated</u> <u>FY 1983</u>	<u>Estimated</u> <u>FY 1984</u>	<u>Change</u>
Government Documents processed (Revision, amendment or development of Tribal Constitutions)	145	155	155	165	+10
Workload indicators for New Tribes are:					
Federal Acknowledgment Cases					
Cases completed			6	2	-4
Cases pending			5	8	+3
Total	9	11	11	10	-1

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY</u> <u>1984</u> <u>Base</u>	<u>FY</u> <u>1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
A. Aid to Tribal Government	(\$) (FTE-T) 17,662 (175)	15,981 (175)	-1,681 (--)

A. Community Services General (+\$173,000 net): The increase will provide additional overall supervision of Indian Services programs at the reservation level as determined by tribal priority setting as well as the assumption of additional responsibilities within the Office of Indian Services within the Central Office in connection with assuming direction of the credit and financing and employment assistance programs when the Office of Tribal Resources Development was closed down.

B. Community Fire Protection (+\$121,000): As reflected in the Base Program this program is operated entirely at the Tribe/Agency level and is, therefore, subject to the priority setting processes of the tribes. The increase is reflective of the fact that in FY 1983 there are 19 Tribe/Agency locations which have set priority funding for this program element while in FY 1984 there are 24 Tribe/Agency locations.

C. Agriculture Extension (-\$1,132,000 net): This program, similar to Community Fire Protection, is essentially a Tribe/Agency program subject to the priority setting processes at those locations. The decrease reflects the decision to cease funding those contracted programs which were areawide in nature. The specific Tribe/Agency programs remain relatively constant.

D. All Other Aid to Tribal Government (-\$347,000 net): The decrease reflects a reduction of \$191,000 at the Tribe/Agency level and a decrease of \$156,000 at the Area level with the Central Office Staff funding remaining constant from FY 1983 to FY 1984.

The decrease at the Tribe/Agency level, which is set by tribal priorities, shows less funding to be provided in the nature of small increments at a number of locations. The decrease at the Area level results from planned economies in general operating expenses in areas such as travel, equipment and supplies.

At the Tribe/Agency level for FY 1984, \$8,840,000 will be utilized for the purposes set forth in more detail below. The Area Office level of this program will be funded at \$1,511,000 and the Central Office level at \$1,196,000. The program employment totals 160 FTE at all three Bureau organizational levels.

NOTE: - Letters A, C, and D above show net dollar amounts. In these cases the FY 1984 request includes a total increase of \$229,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with requirements of Sec. 106(h) of P.L. 93-638.

E. New Tribes (+\$500,000 Undistributed and -\$996,000 Distributed): The undistributed New Tribes FY 1984 estimate totals \$1,568,000, which is an increase of \$500,000 over the Base. One tribe will probably be recognized during FY 1984 through the acknowledgment process. The \$500,000 will be sufficient to provide funding for one tribe or partial funding for two tribes. We expect 3 tribes to be recognized during FY 1983 and they will receive the balance of the undistributed New Tribes funding for FY 1984.

In FY 1984, \$996,000 in New Tribes funding have been distributed to the Grand Traverse (\$600,000), Jamestown Clallam (\$221,000), and Tunica-Biloxi (\$175,000) and added to various Bureau programs according to tribal priorities. These allocations are reflected as a decrease in FY 1984 for New Tribes funding but are reflected as increases in the programs selected by the three tribes.

#### B. Tribal Courts

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians and it is under this authority that assistance to tribal courts is provided. 25 U.S.C. 461-479 (The Indian Reorganization Act of 1934) authorized tribes to reorganize under the provisions of the Act and adopt constitutions many of which contained provisions establishing tribal courts. P.L. 92-240 (The Maine Indian Claims Settlement Act of 1980) authorized the Maine Indian tribes to establish tribal courts. Numerous Federal and State court decisions have recognized the authority of Indian tribes to exercise their sovereignty and establish forums to maintain law and order and for the resolution of disputes.

Objectives: To improve and maintain the judicial capabilities of Indian tribes at a level which will insure the speedy and impartial adjudication of violations of tribal law and the resolution of civil disputes.

Base Program (\$7,710,000): This program is essentially a Tribe/Agency program with almost all of the program funds being expended at that level. The Bureau assists tribes in the operation of their court systems in recognition of the fact that a strong and viable judiciary is a critical element in strengthening tribal governments. In view of the imposition on Indian tribes of non-traditional requirements for dispute resolution, there has been a pronounced need to develop systems capable of coping with these requirements.

Tribe/Agency (\$6,980,000): This program pays the personnel and administrative costs for the operation of 108 tribal courts and 28 Courts of Indian Offenses (courts established and operating pursuant to 25 CFR 11). These courts all enforce and adjudicate the criminal provisions of tribal law and order codes and, as is the case with Courts of Indian Offenses, the criminal provisions found in 25 CFR. They also adjudicate civil disputes based upon the same authorities cited above. The criminal and civil adjudication provisions enforced

by Indian courts vary considerably in their coverage, sophistication and procedures. The primary effort to upgrade these tribal codes is assumed by the tribes themselves with assistance provided by Bureau staff primarily at the Area and Central Office program levels.

As indicated above, this program supports, in addition to tribal courts, 28 Courts of Indian Offenses. These courts are different from tribal courts only in respect to their jurisdictional authority for existence. Whereas the authority for the establishment and existence of tribal courts is generally found in tribal constitutions, Courts of Indian Offenses have no such authorization. They are established by the Bureau of Indian Affairs primarily upon a determination that a tribe has, or must, exercise civil and criminal jurisdiction over its members and a further finding that the traditional agencies for the enforcement of tribal law and custom have broken down and for which no adequate substitute has been provided under Federal or State law. In instances where there has been such a declaration and finding, there has been provided a ready-made set of laws and procedures which can be utilized until such time as the tribe can adopt their own law and order code. These types of courts (Courts of Indian Offenses) are intended to be temporary in nature and only exist until such time as the tribe itself adopts a law and order code and begins enforcing tribal law.

At the tribal level these funds are provided to pay for judges, prosecutors, defenders, clerks of court, probation officers, juvenile officers and a variety of other court-support personnel. Additionally, the program pays for the administrative operational expenses incurred in running a court system. Total Base funding requested at this level is \$6,980,000.

Area Office Level (\$91,000): Provides technical assistance to tribes in establishing and maintaining Indian courts in a manner which assures due process and equal protection for individuals appearing before them. This includes reviewing tribal ordinances and helping tribes to upgrade law and order codes, as well as evaluating court systems and recommending improvements.

Central Office Level: The program supervision costs of running this program are funded in Central Office Staff under the All Other Aid to Tribal Government program element. Base Program functions at this level represent the core of the judicial services technical and financial assistance provided to Indian courts. This program provides support and technical assistance on a bureau-wide basis to field personnel and tribal judicial systems on matters concerning program organization and management, civil and criminal jurisdiction, training of judicial personnel, development of rehabilitation capabilities, alternative codes and procedures, and court standards. The Central Office works closely with the Interior Solicitor's Office, the Federal Court system, and the Justice Department with regards to development, establishing, and maintaining tribal judicial systems which are in full accord with constitutional and other legal guarantees. It also promotes the development and implementation of model codes and systems which may be modified, as necessary, to meet local tribal needs; reviews regulations and legislation affecting the tribal judiciary; and, maintains a close working relationship with the National American Indian Court Judges Association, the American Indian Lawyer Training Program and other Federal agencies in order to insure close communication and the best joint use of resources for the overall development of the tribal judicial system.

This program level also reviews tribal liquor ordinances for compliance with 18 USC 1161 and processes these ordinances for publication in the Federal Register as required by law. The staff encourages the development of an awareness within the Indian judicial system of its role within tribal government in crime prevention and rehabilitation of the offenders, including providing for meaningful probation programs. The staff develops standards for performance of contracts between Bureau and tribal governments for the exercise of judicial functions and maintains a monitoring system for compliance with standards of performance.

Special Tribal Courts (\$639,000): Provides funding to initiate court operations in new jurisdictions and to improve the effectiveness of existing court operations with special emphasis on improving the prosecution functions.

In FY 1981, a special effort was initiated to upgrade the judicial capabilities of Indian court systems nationwide. Emphasis was to be placed on increasing these capabilities in existing court systems. Also included, however, was funding which was to be provided to those Indian tribes who had recently been authorized to begin operating Indian court systems. This authorization could have come from Federal legislation, as in the Maine Indian Claims Settlement Act, from a U.S. Supreme Court decision, as in U.S. v. John, or from lower court decisions.

The funds were, in FY 1981 and 1982, utilized to increase Indian court capabilities and to provide operational expenses funding for new jurisdictions. In FY 1983, the funds have gone into the Base funding at the Tribe/Agency level. The funds remaining in this program for FY 1983 will be utilized to assist those tribes who have yet to begin operating judicial systems and to provide training opportunities for all Indian court personnel. As the tribes who possess the authority to begin operating their judiciary take this step only after they have developed their own laws and procedures, this program has substantially funded (approximately \$400,000 in FY 1982) the training opportunities made available to Indian court judicial personnel. The turnover rate for all judicial personnel is exceedingly high which contributes to the critical need for the availability of ongoing training. To address this need, the Bureau has for the past few years provided training through contracts for Indian court personnel. Formal course-work training has covered subjects such as: Basic and Advanced Criminal Law and Procedures, Basic and Advanced Civil Law and Procedure, Family Law, Torts, Contracts, Legal Writing, Evidence, Indian Probate, etc.

Workload Data: The workload estimates for tribal courts and special tribal courts training are:

<u>Tribal Courts</u>	<u>Actual FY 1981</u>	<u>Actual FY 1982</u>	<u>Estimated FY 1983</u>	<u>Estimated FY 1984</u>	<u>Change</u>
Tribal Court Cases	123,000	132,000	141,000	161,000	+20,000
Tribal Courts Evaluated	20	22	25	25	---
Tribal Codes Reviewed	15	20	30	30	---
	<u>Actual FY 1981</u>	<u>Actual FY 1982</u>	<u>Estimated FY 1983</u>	<u>Estimated FY 1984</u>	
<u>Special Tribal Courts Training</u>					
<u>Judges</u>					
Training Sessions	3	9	6	6	
Trainees	190	292	300	300	
<u>Other Court Personnel</u>					
Training Sessions	8	7	12	12	
Trainees	275	632	600	600	

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
B. Tribal Courts	(\$)	7,710	7,553	-157

Tribe/Agency Operations (+\$144,000 net): An increase of \$77,000 represents the continued high priority being placed on court operations by Indian tribes. It demonstrates the realization by tribes of the necessity for strong, viable and competent judiciaries that will be the cornerstone of tribal sovereignty. The increase will be utilized to increase tribal court staffing, obtain additional equipment and supplies and to generally improve tribal court processes.

The FY 1984 request also includes an increase of \$67,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Area Office Operations (-\$62,000): The reduction was established as part of the Area priority setting process and has retained the minimal program funding in this activity at the Area level. Most tribal court activities are operated at the Tribe/Agency level and do not require additional funding at the Area level.

Special Tribal Courts (-\$239,000): The determination has been made for FY 1984 to not provide separate funds to new jurisdictions but to, instead, assist them in establishing funds through the regular tribal priority setting process. The funds remaining in this category (\$400,000) will be utilized for training purposes.

Object Class Distribution - Tribal Government Services Subactivity

Travel and transportation of persons.....	+ \$	20,000
Communications, utilities, and other rent.....	-	15,000
Printing and reproduction.....	-	20,000
Supplies and materials.....	+	22,000
Equipment.....	-	50,000
Grants, subsidies, and contributions.....	-	1,795,000
		<hr/>
Total.....		<u><u>-\$1,838,000</u></u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Social Services

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983		FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date					
A. Welfare Assistance							
Grants	(\$)	82,200	82,200	82,200	80,741	-1,459	-1,459
B. All Other Social							
Services	(\$)	17,802	17,872	17,872	17,868	+66	-4
	(FTE-T)	(358)	(358)	(358)	(358)	(--)	(--)
<u>Total Requirements</u>	(\$)	100,002	100,072	100,072	98,609	-1,393	-1,463
	(FTE-T)	(358)	(358)	(358)	(358)	(--)	(--)

Distribution:

Tribe/Agency Operations	(\$)	15,960	16,404	16,404	16,070	+110	-334
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	--	330	+330	+330
Area Offices Operations	(\$)	1,455	1,096	1,096	1,096	-359	--
Central Office Staff Operations	(\$)	387	372	372	372	-15	--
Other Indian Services Programs:	(\$)	82,200	82,200	82,200	80,741	-1,459	-1,459
Welfare Grants	(\$)	(72,500)	(72,500)	(72,500)	(73,041)	(+541)	(+541)
Indian Child Welfare Grants	(\$)	(9,700)	(9,700)	(9,700)	(7,700)	(-2,000)	(-2,000)

A. Welfare Grants

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) and 25 U.S.C. 1901-1952 (The Indian Child Welfare Act of 1978, Public Law 95-608) are the basic authorities under which the Secretary provides assistance and services to eligible Indians.

Objective: To provide welfare assistance to needy eligible Indians who cannot obtain such assistance from states or local governments as other American citizens can; also to provide Indian Child Welfare Act, Title II grants to Indian tribes for family and child services programs designed to maintain the integrity of Indian family life and to keep Indian children in their own homes.

Base Program (\$82,200,000): The Bureau of Indian Affairs provides welfare assistance to otherwise eligible Indians in its administrative jurisdictions when such assistance is not available through State or local public agencies.

It is the Bureau's general position that insofar as possible Indians should have the same relationship to public welfare agencies as non-Indians under similar circumstances. However, certain assistance required by some Indians is not being provided by public welfare agencies, and the tax-exempt status of Indian lands affects the ability of some States and counties to provide this assistance, particularly if Indians constitute a considerable portion of their population.

Accordingly, the Bureau provides financial assistance in States like North and South Dakota, where public programs are funded and administered from local, mostly county revenues. These revenues are primarily from real property taxes which cannot be obtained from Indian lands because of their Federal trust (tax exempt) status. Conversely, the Bureau does not have a general assistance program in States such as Oregon and Washington, which have statewide general assistance programs available to Indian and non-Indian residents on the same basis. These statewide State general assistance programs are usually funded from general State revenue and are not dependent upon local property taxes.

The Bureau, by policy and regulation, uses State-established public assistance standards (Aid to Families with Dependent Children-AFDC) to determine individual need and payment levels for general assistance (welfare) payments.

These standards of assistance are used because they are individually drawn up by each State in accordance with Social Security Act requirements and subsequently approved by the Department of Health and Human Services (HHS) before implementation. These State standards of assistance are the only known standards which are reasonably equitable in determining the amounts of general assistance payments.

States which meet the above criteria for provision of (financial) assistance are:

Arizona, Idaho, Maine (10% tribes - 90% state), Minnesota (Red Lake only), Mississippi, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, South Dakota, Wyoming. (Total States: 14)

The rationale provided above with regard to the provision of general (financial) assistance also applies to the provision of child welfare assistance which includes foster care and special care for handicapped children. The Bureau follows state established rates of payment in its child welfare assistance program.

In addition to welfare assistance for eligible clientele, the Bureau also provides Indian Child Welfare Act (1978) Title II grants to Indian tribes for family and child services programs. These grants are designed to maintain the integrity of Indian family life and thus avoid the unwarranted placement for adoption or foster care of Indian children.

Four types of grants or contracts are available to tribes and tribal members. They are:

A. General Assistance -- \$56,946,000 in the FY 1984 base. This type consists of:

1. Direct financial assistance -- \$51,218,000 in the FY 1984 base. This assistance is provided in 14 States to families and individuals to pay living expenses for those whose income is below State standards.
2. Non-medical institutional or custodial care -- \$2,890,000 in the FY 1984 base. This assistance is provided to incapacitated adults in 10 States, but principally in the State of Arizona, because Arizona does not administer a Title 19, medicaid program.
3. Contracts with tribes to run Tribal Work Experience Programs (TWEP) -- \$2,838,000 in the FY 1984 base. About 4,300 tribal members who receive general assistance and who work on tribal projects under TWEP receive \$55 per month for work-related costs over their welfare payments. Examples of work projects include: road repair; building maintenance; facility construction; and housing.

B. Child Welfare Assistance -- \$14,300,000 in the FY 1984 base. This program provides for the costs of care of abandoned, neglected, or handicapped children in private foster homes, private or tribal group care homes or in residential settings designed to provide special care and programs for the handicapped. These payments are made directly or through contract to the provider and involve 14 States. These children are not eligible for care under any other programs.

C. Miscellaneous Assistance -- \$1,254,000 in the FY 1984 base. These funds are used to pay for the burial expenses of Indians who die indigent or whose survivors cannot afford funeral expenses. This fund is also used to help Indians meet costs for natural disasters and related emergencies. In FY 1983, \$376,500 is estimated for such emergencies. Examples of how this money is used are: emergency subsistence and shelter in event of weather disaster; relocation and care of flood victims.

D. Indian Child Welfare Act Title II Grants -- \$9,700,000 in the FY 1984 base. Public Law 95-608 authorizes grants to Indian tribes to establish and operate Indian child and family services programs. During 1983 approximately 160 tribes and Indian organizations will operate such programs. These programs include:

1. Systems to license and regulate Indian foster homes and adoptive homes. For example: The Shoshone and Arapahoe Indian Child Welfare Program.
2. Facilities for counseling and treating Indian families and providing temporary custody of Indian children. Examples of such facilities are: Cherokee Child and Family Services, N.C., and the Comanche Child Welfare and Family Service Program, Oklahoma.
3. Programs to provide homemakers services. Examples of these services include: homemakers to teach parents how to care for children in danger of neglect or abuse, and provide respite for parents in stressful situations.

4. Day care facilities. Examples of these are the Ft. Sill Apache Family Service Center, and the Shoshone-Paiute Tribe (Duck Valley) Day Care Center.
5. Programs for after school care. An example of this type of program is the Walker River Paiute Tribe Day Care and After School Care Program for high risk children emphasizing the cultural, academic and social needs of children.
6. Programs to provide recreational activities. Examples of these are: The Tyonek Family Services Program, the Kodiak Area Native Association and the Picuris Youth Services Recreation and Child Day Care Center.
7. Programs to provide training of tribal court personnel. These programs train Indian child welfare providers in the legalities of the act and the provision of quality court related child welfare services.
8. Adoptive subsidies. These funds are used to provide financial assistance to families to assist them with the maintenance or special needs of an adoptive child, or to assist them in completing the adoption process.
9. Legal representation. Lawyers are hired to provide legal representation, and act as advocates and intervene in State courts as well as provide counseling to families and consultation with tribes.

Workload Data:

The estimated caseloads, estimated unit costs and related estimated funding increases provided below have their origin at the agency/reservation/tribal level. In compiling these estimates, the agency/reservation/tribal staff consider such factors as: past, current and projected caseload and unit cost trends; current and projected local employment opportunities; current and projected levels of state AFDC standards and state foster care/special care payment rates; possible natural disaster occurrences; current and projected cost of obtaining basic living necessities (food, clothing, shelter, utilities).

Caseload:

	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>Estimate 1983</u>	<u>Estimate 1984</u>
1. General assistance: (persons per month)	55,242	55,642	62,482	63,932	64,969
a. Direct financial assistance (TWEP participants)	48,613 (5,620)	49,209 (5,064)	54,984 (4,167)	56,260 (4,300)	57,173 (4,300)
b. Institutional or custodial care	6,629	6,433	7,498	7,672	7,796
2. Child Welfare Assistance (persons per month):	2,852	3,175	3,185	3,385	3,385

Caseload: continued

	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>Estimate 1983</u>	<u>Estimate 1984</u>
a. Foster home care (including family and small group care)	1,635	2,052	1,815	1,929	1,929
b. Residential care for handicapped children	1,217	1,123	1,370	1,456	1,456
3. Miscellaneous assistance					
a. burials per year	1,317	1,320	1,325	1,350	1,350
4. Indian Child Welfare Act Grants	165	190	163	160	96

A definitive breakdown of Indian Child Welfare Act Title II grants by specific category and specific category costs (e.g., 50 licensing systems \$300,000; 75 homemaker services - \$750,000; 80 day care services - \$800,000 etc.) and subsequently by specific fiscal year is not practical in this space because most of the Title II grant programs are multifaceted social services delivery systems which do not lend themselves to this kind of simple categorization.

For this same reason it is not possible to provide unit cost per category. Also, Indian Child Welfare Act Title II grants do not provide monthly "welfare assistance" to individuals as do Bureau general and child welfare assistance grants. Accordingly, unit cost per annual grant given to a tribe is not measurable in the way unit cost is measurable when providing a monthly welfare grant to a family.

Workload Increase for FY 1984 - Welfare Assistance Grants:

1. Caseload: Shows the projected average number of persons the Bureau will be required to serve each month by the type of service:

	<u>FY 1983</u>	<u>FY 1984</u>	<u>Change</u>
GA - Persons per month	63,932	64,969	+1,037
(TWEPE - participants per month)	(4,300)	(4,300)	---
CW - Children per month	3,385	3,385	---
Misc. - Burials per year	1,350	1,350	---

2. Unit Costs: Shows average monthly cost by type of assistance for each person in the projected caseload (\$):

	<u>FY 1983</u>	<u>FY 1984</u>	<u>Change</u>
GA - \$ per person per month	\$ 74.23	\$ 73.04	\$ -1.19
(TWEPE - \$ per participant per month)	(55.00)	(55.00)	---
CW - \$ per child per month	351.94	362.90	+10.96
Misc. - \$ per burial per year	650.00	725.00	+75.00

3. Welfare Grants: Shows total cost by type of assistance for FY 1983 and FY 1984 (\$000):

	<u>FY 1983</u>	<u>FY 1984</u>	<u>Change</u>
General Assistance (GA)	\$56,946	\$56,946	\$ --
(TWEF)	(2,838)	(2,838)	--
Child Welfare Assistance (CW)	14,300	14,741	+441
Misc. Assistance *	1,254	1,354	+100
Indian Child Welfare Act Grants	<u>9,700</u>	<u>7,700</u>	<u>-2,000</u>
Total	\$82,200	\$80,741	\$-1,459

\* In addition to burial costs, this category of assistance also helps tribes to meet costs associated with natural disasters and related emergencies.

Decrease for FY 1984: (Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
A. Welfare Assistance Grants	(\$ 82,200	80,741	-1,459

General Assistance (no change): The estimated increase in the general assistance caseload is due almost entirely to rising unemployment. The reservation unemployment situation is further aggravated by return to the reservations of increasing numbers of tribal members who have lost jobs in off-reservation communities. Also contributing to the caseload growth are increasingly restrictive public assistance (Aid to Families with Dependent Children) eligibility requirements. Workload and cost factors related to this general assistance caseload increase include an estimated 1,037 persons at a cost of \$971,700.

The geographic locations where these trends are most evident are areas such as the Navajo Reservation and the larger reservations in North and South Dakota and Arizona.

Irrespective of the increased General Assistance caseload there are no anticipated increased costs. This offset is a direct result of the FY 1983 Congressional mandate in Conference Report No 97-978, "The managers direct the Bureau to move expeditiously to implement changes in the general assistance program to bring payments into conformance with state payments in those states where the standard of need exceeds actual payments. The regulations shall provide flexibility for the Bureau to adjust payments as such payments may be adjusted by the states." State rateable reductions in effect during calendar year 1982 suggest a savings of approximately \$4,000,000. This will result in a small unit cost reduction from FY 1983 of \$74.23 per month per person to FY 1984 of \$73.04 per month per person for an estimated \$1.19 reduction.

Tribal Work Experience Program (TWEP): Tribes have not indicated increased participation in this program. Therefore, the participant level for FY 1984 will remain at 4,300 participants at a work related cost of \$55 per month each. Total work related cost is continued at \$2,838,000.

Child Welfare Assistance (+\$441,000): The estimated caseload for FY 1984 child welfare assistance is stable. However, the unit cost per child served will increase moderately as a result of rising costs associated with residential child care. Probably the most significant factor relative to these rising child care costs are wages for child care staff. The handicapped children portion of this caseload requires a higher, more sophisticated level of staff care than does that portion of the caseload in need of relatively uncomplicated foster home and group care. Examples of increasing child care costs are increased state foster care rates (which the Bureau follows) in most states which reflect an attempt by states to compensate foster parents for rising food prices and significantly increased costs related to children's clothing. The high cost of utilities and rising wage scales for employees are significant cost factors in institutional care settings for handicapped children. The \$441,000 increase is computed as follows: (FY 1984 caseload of 3,385 children X FY 1984 unit cost increase of \$10.96 X 12 months = \$441,000 FY 1984 child welfare assistance increase).

Miscellaneous Assistance (+\$100,000): In FY 1984, the Bureau will need to meet the burial costs of 1,350 deceased indigent persons. The average cost of each burial will be \$725, a \$75 increase over FY 1983. Total burial cost is estimated at \$978,750. The Bureau must also be prepared to assist tribes to meet costs associated with unanticipated disaster emergency assistance needs. The set aside for disaster emergencies will be \$375,250.

Indian Child Welfare Act Grants (-\$2,000,000): In FY 1984, the Bureau estimates that it will fund approximately 96 Indian Child Welfare Act (ICWA) grant applications for operation of Indian child and family service programs. This decrease in funding results from a decision to discontinue provision of ICWA grants to 35 off-reservation programs not normally within traditional Bureau service areas. The objective is to eventually strengthen those on-reservation programs in areas where the Bureau regularly exercises jurisdiction. The estimated FY 1984 reduction in the number of on-reservation tribal grants is anticipated because a number of smaller tribes are expected to enter into grants using the consortium approach to provide better services on a more cost effective basis. Most of these FY 1984 tribal applicants will actually be programs already operating under grants received in FY 1983 and thus the programs will be continuing ones rather than different ones. The overall grant program is summarized as follows:

<u>Indian Child Welfare Grants</u>					
	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>Estimate 1983</u>	<u>Estimate 1984</u>
No. of grantees	165	190	163	160	96
Grantees on-reservations	122	145	126	125	96
Grantees off-reservation	43	45	37	35	--
Average size of grant	\$33,333	\$48,947	\$58,896	\$60,625	\$80,208

There will be a decreased number of grants due to an anticipated appropriation authorizing grants only to tribes, on or near reservation areas. In FY 1980-81-82-83, off-reservation Indian organizations were eligible to apply for these grants. Also, grants during FY 1980-81 were largely for planning purposes while in subsequent years more grants were awarded for multifaceted child and family social services systems.

B. All Other Social Services

Base Program (\$17,872,000): The base program consists of the equivalent of 358 full-time Bureau employees at a cost of \$7,361,000 as well as staff funding in the amount of \$6,100,000 for approximately 69 tribal social services contract programs. The tribal contract employee positions are not fixed and vary according to changes in contracts. The balance of \$4,411,000 of the overall total of \$17,872,000 is required for the general operational expense for both Bureau and tribal contract programs (staff development and training, contract and field program quality control and monitoring, travel, equipment, office operations) incurred in administering the overall bureauwide social services activity. Bureau and tribal staff are basically trained social workers, paraprofessional social workers and clerical personnel. Their duties include receiving applications for assistance, determining eligibility, computing grant amounts, providing social casework counseling and other services, including case review and followup. They also refer clientele to other needed non-BIA programs. The same staff which administers the overall program also provides the counseling and other social casework services, as well as providing technical assistance and professional expertise to tribal entities in developing tribal social services programs. Since their duties are all-encompassing and multifaceted, no distinction is made between costs incurred for counseling, costs incurred for administration, etc.

The monthly caseload for counseling is:

1980	15,604 persons
1981	15,820 persons
1982	15,682 persons
1983	15,775 persons
1984	15,775 persons

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>	
B. All Other Social				
Services	(\$) (FTE-T)	17,872 (358)	17,868 (358)	-4 (--)

Tribe/Agency Operations (-\$4,000 net): The tribal priority decrease of \$334,000 will be absorbed by a reduction in operating expenses at this level.

The FY 1984 request includes an increase of \$330,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Object Class Distribution - Social Services Subactivity

Other services.....	+ \$ 330,000
Supplies and materials.....	- 334,000
Grants, subsidies, and contributions.....	- <u>1,459,000</u>
Total.....	- <u>\$1,463,000</u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Law Enforcement

		(Dollar Amounts in Thousands)				
		1983				
<u>Program Element</u>		Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
Law Enforcement	(\$) (FTE-T)	35,697 (463)	35,713 (459)	34,521 (459)	-1,176 (-4)	-1,192 (--)
Total Requirements	(\$) (FTE-T)	35,697 (463)	35,713 (459)	34,521 (459)	-1,176 (-4)	-1,192 (--)
<u>Distribution:</u>						
Tribe/Agency Operations	(\$)	31,836	33,261	32,366	+530	-895
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	366	+366	+366
Area Offices Operations	(\$)	1,298	484	513	-785	+29
Central Office Staff Operations	(\$)	1,540	1,481	1,276	-264	-205
(Police Academy)	(\$)	(480)	(490)	(490)	(+10)	(--)
Other Indian Services Programs:						
Special Law Enforcement	(\$)	1,023	487	--	-1,023	-487

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indian entities. Law enforcement services are provided under this authority. 18 U.S.C. 3055 (Act of June 25, 1948) provides authority to suppress liquor traffic among Indians and authorizes the Chief Special Officer and his subordinate officers to make arrests.

Objectives: Help Indian tribes to: (1) provide continuing law enforcement services aimed at the protection of lives and property on reservations; (2) plan and implement programs to aid in maintaining peace on reservations; (3) develop a cadre of law enforcement administrators/managers in furtherance of the Indian Self-Determination Act; and (4) conduct supportive law enforcement type investigations.

Base Program:

Tribe/Agency Operations (\$33,261,000 - FTE: 404): Individual treaties with Indian tribes, congressional enactments, and Federal court decisions created criminal justice voids on reservations where State and local units of government do not have civil and criminal jurisdiction. The Federal and tribal governments have exclusive civil and criminal jurisdiction over offenses committed by persons of Indian descent and for the enforcement of violations of Federal law.

The lack of services by local units of government mandated the development and operation of criminal justice systems to provide police, detention and judicial services by the Federal and tribal governments. There are 23 states with 163 reservations where the Bureau and tribal governments provide these services to a varying degree.

The Bureau's FY 1983 appropriation for law enforcement is \$35,697,000. Of this amount \$15,700,000 or 44% will be contracted to Indian tribes under P.L. 93-638 contracts. Tribal governments will spend approximately \$8,600,000 of their own funds to staff and operate reservation criminal justice programs.

Salary and related costs for Bureau operated programs absorb approximately \$10,998,000 or 55% of the uncontracted portion of the Bureau's budget. Of this amount \$7,399,000 or 37% is for investigative and patrol salaries, \$1,600,000 or 6% is for equipment, which includes automobile purchases, \$200,000 for training and \$159,000 for program operations, which includes travel and related costs. Tribal programs operated under P.L. 93-638 contracts utilize the base of funding in a similar manner. An example of a P.L. 93-638 law enforcement contract (Menominee Tribe) indicates that of the \$500,000 program allocation, \$300,000 or 60% is for salaries and related expenses, \$150,000 or 30% is for contractual services, which includes communications and detention care, and \$50,000 or 10% is for supplies, equipment and operations.

The Bureau utilizes 475 criminal justice personnel to staff and operate a number of these programs. Staff includes 110 investigators, 258 uniformed officers, 41 detention officers and 66 radio dispatchers/clerks. Tribal governments employ 1,018 criminal justice personnel which includes 62 investigators, 556 uniformed officers, 111 detention officers and 289 radio dispatchers/clerks. The combined Federal/tribal personnel of 1,493 personnel serve an Indian population estimated to be 460,000 individuals and patrol 105,000 square miles of Indian country.

There are three basic law enforcement personnel. Criminal Investigators are non-uniformed personnel whose primary duties are to investigate, arrest and prosecute violators of Federal laws. The uniformed officer's primary duties are to provide patrol and protective services which also include providing non-enforcement duties such as public functions. The detention officer is responsible for detention and care of prisoners that are incarcerated in Bureau or tribal jails. Additional duties include the operation of radio communications equipment on reservations.

Area Office Operations (\$484,000 - FTE: 29): The functions of the area law enforcement staff are: (1) to assist the Area Director in the management of law enforcement and detention programs on reservations within his jurisdiction; (2) investigation of offenses on reservations that are not handled by the Federal Bureau of Investigation, Bureau or tribal investigators; and (3) on-going program review of Bureau and tribally operated law enforcement programs within the area jurisdiction. Total staff complement at eight area offices area eight (8) supervisory criminal investigators and eight (8) clerical staff support. Fund distribution is as follows: \$350,000 for salaries of professional investigative staff, \$79,600 for clerical support, \$23,100 for travel and related expenses, and \$31,300 for operations and training costs. Combined Area law enforcement office program budget for FY 1984 is \$484,000.

Central Office (\$1,481,000 - FTE: 26)

Central Office Staff Operation (\$495,000): Provides staff advice and analysis as required by Bureau line officers regarding operations and policy for law enforcement and detention programs. In addition, the office is responsible

for the management and operation of the Indian Criminal Justice Automated Data Information system; providing law enforcement programs with information on modern trends, new techniques, legislation, court decision and other items through a library; and providing reports and data system training. In 1981, 813,550 case incident records were received and processed. Non-automated data management and operational reports were processed on a monthly and annual basis. Special reports were also prepared and processed. Provides supervision and direction over the Office of Field Operations that include the following program components:

(1) Special Operations Services Unit (\$366,000): An eight-person unit, with core staff of three headquartered at Brigham City, Utah, and five officers stationed at reservations throughout the United States. The five officers when not activated, perform regular assigned police duties on the reservations. The primary function of the unit is to provide a rapid response and backup to local police departments on reservations where there is a threat of or ongoing civil disorder or other untoward situations. In addition, the unit provides training to reservation police departments in tactical operations, firearms, special weapons and other specialized courses. During FY 1982, the unit was activated on two occasions to assist local police departments because of internal problems. In addition, the unit held 27 separate field training sessions for 421 officers, involving 11,534 manhours.

(2) Inspection & Evaluation Unit (\$130,000): A three-person unit headquartered at Brigham City, Utah whose primary function is to conduct regular inspections and evaluations of Area and local Bureau law enforcement programs, and process evaluation reports for correction and followup. During FY 1982, this unit conducted 21 initial, follow-up and administrative inspections and investigations nationwide.

(3) Indian Police Academy (\$490,000): The Academy is responsible for providing on-site and outreach training in basic recruit and specialized training courses to Bureau and tribal law enforcement officers. During FY 1982, the Academy conducted eight on-site training sessions (166 trainees) and three outreach training sessions (49 trainees).

Other Indian Services Programs - Special Law Enforcement (\$487,000): Provides law enforcement and detention funding for new or expanded jurisdictions and special projects. Funding is allocated to the field as the particular program or project begins operation. \$536,000 from the FY 1983 appropriations has been transferred to the tribe/agency level and thus is not included in this base.

Workload Data: The FY 1983 operating cost for enforcement and detention programs will be \$35,700,000. Tribes are expected to provide another \$8,600,000. This level of funding will provide for responding to an estimated 817,000 complaints and incidents not directly related to enforcement activities. Response to complaints will result in about 120,500 arrests or citations. Detention programs will be responsible for the custody of an average of 650 prisoners each day.

High unemployment (e.g., 1981 Department of Labor Estimates) of 31% contributed to the rise in complaints received, investigations and arrests made and persons detained for violations of tribal law.

During the first quarter of calendar year 1982, 20,318 criminal investigations were conducted by reservation police. Of this amount, 13,531 or 65.7% were alcohol/drug related. During this period a total of 13,351 arrests were made. Crime Index Offenses (CIO) in 1981 totaled 10,348 for a rate of 2,189.2 per 100,000 Indian population served (472,680). In 1980, CIO's totaled 9,294 for

a rate of 2,100.6 per 100,000 Indian population served (442,451). CIO's increased in 1981 by 1,054 or +11.3%. However, the CIO rate in 1981 increased only by 88.6, or +4.2%, due to an increase in the population served.

Violent Crime Index Offenses (VCIO) in 1981 totaled 1,112 for a rate of 235.3. In 1980, VCIO's totaled 1,110 for a rate of 250.9. VCIO's increased by 2, or +0.2%, in 1981. However, the VCIO rate decreased by 15.6, or -06.2%, due to an increase in the population served.

Property Crime Index Offenses (PCIO) in 1981 totaled 9,236 for a rate of 1,954.0. In 1980, PCIO's totaled 8,184 for a rate of 1,849.7. PCIO's increased by 1,052 or +12.9%, in 1981. However, the PCIO rate increased by 104.3, or only 05.6%, due to an increase in the population served.

Workload data since FY 1980 is as follows:

	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
Complaints					
Investigated	209,000	220,000 + 5%	240,000 + 9%	261,000 + 8.7%	274,000 + 5.0%
Non-Enforcement					
Duties Performed	561,000	617,000 + 10%	675,000 + 9.4%	735,000 + 8.9%	772,000 + 5%
Daily Detention					
Average	560	560	560	616 + 10%	646 + 5%

Decrease for FY 1984

(Dollar Amounts in Thousands)

<u>Program Element</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Law Enforcement (\$) (FTE-T)	35,713 (459)	34,521 (459)	-1,192 (--)

Tribe/Agency Operations (-\$529,000): The expression of tribal priorities for reservation level programs has resulted in a proposed reduction of \$895,000 to Law Enforcement programs at agencies. Those locations will reduce operations to remain within the funds available by delaying equipment replacement and eliminating non-enforcement services.

The FY 1984 request includes an increase of \$366,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Area Office Operations (+\$29,000): Training duties and drug interdiction programs are to be developed and implemented by staff personnel currently being trained by the Drug Enforcement Administration.

Central Office Staff Operations (-\$205,000): The decrease is the planned phase-out of the Criminal Justice Data Unit located in Brigham City, Utah.

Other Indian Services Programs - Special Law Enforcement (-\$487,000):

The special law enforcement funds which have been used for covering new or expanded jurisdictions is being discontinued. In the future such needs will have to be addressed by means of tribal priority setting.

Object Class Distribution - Law Enforcement Subactivity

Travel and transportation of persons.....	- \$ 109,000
Transportation of things.....	- 230,000
Communications, utilities, and other rent.....	- 120,000
Printing and reproduction.....	- 30,000
Supplies and materials.....	- 483,000
Equipment.....	- 220,000
<hr/>	
Total.....	- <u>\$1,192,000</u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Housing

(Dollar Amounts in Thousands)

Program Element		1983	FY	FY	Inc. (+)	Inc. (+)
		Approp. Enacted to date	1984 Base	1984 Estimate	Dec. (-) From 1983	Dec. (-) From Base
Housing	(\$)	23,233	23,268	22,068	-1,165	-1,200
	(FTE-T)	(84)	(84)	(84)	(--)	(--)
Total Requirements	(\$)	23,233	23,268	22,068	-1,165	-1,200
	(FTE-T)	(84)	(84)	(84)	(--)	(--)

Distribution:

Tribe/Agency Operations	(\$)	21,344	21,780	21,378	+34	-402
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	133	+133	+133
Area Offices Operations	(\$)	762	368	368	-394	--
Central Office Staff Operations	(\$)	159	189	189	+30	--
Other Indian Services Programs:	(\$)	968	931	--	-968	-931
Housing Training (RTCP)	(\$)	(841)	(804)	(--)	(-841)	(-804)
Statistics & Reporting	(\$)	(127)	(127)	(--)	(-127)	(-127)

Authorization: 25 USC 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians. It is under this authority that housing assistance is provided.

Objectives: The Housing Assistance Program contributes greatly to the Bureau's economic, social and educational programs for Indian tribes and Indian people and particularly to the achievement of the overall objective of Federal housing programs to provide decent, safe and sanitary housing in Indian communities.

Base Program (\$23,268,000): The housing program requirements are based on an estimate of Indian housing need determined by Bureau staff who conduct the annual housing survey. The most recent survey is the 1981 inventory which shows:

Service populations (families)	176,400
Less: Existing dwelling in standard condition	-84,200
Families in need of housing assistance: [Total need]	92,200
Houses suitable for renovation to standard	[32,000]
New homes required	[60,200]

The Bureau's Housing program is divided into two components -- Housing Improvement Program (HIP) and Housing Development. There are no separate FTE's for each of these components. Housing Development is the staff component of the Bureau's Housing Assistance Program.

1. The Housing Improvement Program (\$19,980,000): The Housing Improvement Program (HIP) is the major component which provides for renovations, repairs or additions to existing homes, as well as grants towards the purchase of new homes and the construction of some new housing units. There are two types of repair categories in use: (a) repairs to houses that will remain substandard but need repairs for the health and/or safety of the occupants, and (b) repairs to bring housing to standard condition. Also, there are two types of new house building categories in use: (a) downpayments, and (b) new housing.

Emphasis of this program will continue to be on renovation and enlargement of existing housing. The renovation effort has been and continues to be an important element in reducing the total cost of achieving the goal of eliminating substandard Indian housing. The program benefits to the Indian families are direct and satisfying. Concomitant with these direct savings are the indirect savings generated by providing decent, safe and sanitary shelter, thus reducing the health and social costs created by an unsafe and unsanitary environment.

It is important that the renovation effort be of a quality and of a sufficiency so that the recipient can take pride in the finished product. The renovations must include not only the basic necessities of water and utilities but must provide for the modern conveniences including living space and storage space.

The repair work envisioned also means completing those minor repairs to homes that are not worth repairing to standard condition but are to be repaired to enable the families to ward off the elements until they can obtain better shelter.

Certain segments of the Indian population and locations cannot be served by other Federal programs because their land is in multiple ownership or they lack income or their family situations are such as to preclude involvement in a housing program. Additional factors such as extremely isolated living conditions or emergency situations that call for immediate help or small bands or villages where there are not enough families do not warrant the development of housing on a project basis.

2. Housing Development (\$3,288,000): The Housing Development component consists of Bureau staff whose responsibilities are: (a) to implement, monitor and coordinate the HIP; and (b) to assist Indian tribes in working with other Federal agencies (Housing an Urban Development, Indian Health Services, and Farmers Home Administration) involved in producing Indian housing. The types of positions needed are housing program officers, housing construction analysts, housing services specialists and secretaries/clerks. This assistance is provided in accordance with an Interdepartmental Agreement among HUD, IHS, and the Bureau which lists Bureau responsibilities. These responsibilities include but are not limited to: Site selection and land acquisition, appraisals, roads, inspection assistance, Resident Training and Counselling Program (RTCP) and the execution of HUD's annual contribution contracts.

Tribe/Agency Level (\$21,780,000): The FY 1984 base FTE is 71. The total cost for FY 1984 Base Tribe/Agency FTE is \$1,678,000. This is the operational level of the Bureau's housing program. Program funds provided at this operating level pay the cost of new construction, repair materials and skilled labor for:

1. Repairs which bring substandard housing that can be repaired up to standard;
2. New home construction for those tribal members who cannot obtain housing from other sources; and
3. Minor repairs to substandard housing which cannot be repaired to standard but which can be made habitable until replaced by new housing.

Whenever possible HIP funding is combined with the funding of other housing programs in order to stretch the housing dollar and provide as much housing as possible. Under this arrangement HIP generally provides the construction material while other programs, except for the IHS programs, furnish the necessary labor. While FY 1982 figures are not yet available, during the first three (3) quarters of FY 1982 some \$5,400,000 were contributed to the HIP program in the form of labor and materials. For example, one village corporation in Alaska contributed \$100,000 to provide work crews to assist with the completion of the construction of 11 HIP homes in Good News Bay, Alaska.

The following chart shows the number of housing units constructed and repaired:

NEW HOMES AND REPAIRS CONSTRUCTED  
FY 1963 through FY 1982

HUD ownership.....	29,017
HUD rental.....	18,585
Housing improvement new homes.....	8,742
Flood rehabilitation.....	387
Built with Judgment funds.....	547
Built with Credit Loans.....	2,597
Other.....	<u>7,837</u>
 Total, New Homes.....	 <u>67,712</u>
 Housing improvement repairs.....	 53,663

The following is a breakdown of FY 1981 and FY 1982 (three quarters only) contributions by other programs:

<u>Source</u>	<u>FY 1981</u>	<u>FY 1982</u> <u>Three Qtrs. Only</u>
Indian Health Services.....	\$3,063,700	\$2,579,400
Tribal appropriated funding.....	384,000	365,200
Individual (include materials and labor cost).....	969,300	317,600
Other Bureau Programs (IAT, TWEP, etc.)	985,900	367,600
Department of Labor Programs (Mainstream, CETA, etc.).....	156,900	7,100
Department of HHS (exclude IHS).....	<u>2,234,000</u>	<u>1,484,400</u>
 Total Other Programs.....	 \$9,290,800	 \$5,385,700

In FY 1982, the program was approximately 60% contracted with the value of contracts amounting to \$17,000,000 out of the HIP total of \$28,400,000.

Area Office Operations (\$368,000): The FY 1984 base FTE is 9. The housing operation at the Area Office level provides staff support to the Area Director with respect to overall reservation housing programs with special emphasis to insure: (a) that the HIP funds are administered and expended for intended purposes and consistent with HIP regulations; (b) that construction inspections are provided, where necessary; (c) that the Bureau responsibilities under the Interdepartmental Agreement are met fully; and (d) that vital housing production statistical records are maintained for each Area.

Central Office Staff Operations (\$189,000): The FY 1984 base staff at the Central Office is 4 FTE. This operation formulates, and carries out policy, and provides direction and monitoring of the Bureau's HIP; and provides Washington level liaison with HUD, IHS, OMB, and Congress on matters related to overall Indian housing. The Central Office housing staff is responsible for conducting the Indian housing survey, for studies, for compilation of statistical data; and preparation of housing reports.

Housing Training (\$804,000): No FTE's are involved in the operation of the Resident Training and Counselling Program (RTCP). Many of the new residents of Indian housing are trained in certain aspects of living in modern housing. This training helps the families to adjust to their new living conditions and to meet their responsibilities as tenants and homeowners in federally-assisted housing projects. An additional benefit of training is to protect the Federal investment by having tenants and homeowners with a better understanding on how to care for a modern home. In FY 1982, 23 Indian housing authorities participated in the RTCP. Approximately 5,000 families were served by these housing authorities.

Statistics and Reporting (\$127,000): No FTE's are involved. The Bureau will continue to contract with the National American Indian Housing Council (NAIHC) in order to provide an in depth and thorough analysis of Indian Housing development, progress and delivery system.

Program Accomplishments: During FY 1981, the Bureau provided for the financing of 641 new housing units and the repair and renovation of 4,074 existing units. In fiscal years 1982, 1983, and 1984, it is estimated that the Bureau will provide:

	<u>Estimate</u> <u>FY 1982 a/</u>	<u>Estimate</u> <u>FY 1983</u>	<u>Estimate</u> <u>FY 1984</u>
New	900	630	495 <u>b/</u>
Repairs	5,100	3,580	3,460 <u>b/</u>

a/ The 1982 survey is not yet available but will be completed sometime in April 1983.

b/ Subsequent to the completion of the Appendix to the FY 1984 President's Budget and the Interior Highlights book, adjustments were made in the average cost estimates and the spread of the FY 1984 dollars for the Housing program. Prior estimates of units were 640 for financing new units and 3,635 for repairs. An explanation of these changes follows.

The cost factors derived for FY 1983 HIP operations and for the FY 1984 proposed level are as follows:

	<u>Fiscal Year</u>	<u>Estimate Average Cost</u>	<u>No. of Units</u>	<u>Total Cost</u> <sup>a/</sup>
Repairs to standard	1983	\$10,600	775	\$8,182,440
	1984	10,600	770	8,169,000
Non-standard repairs	1983	1,250	2,805	3,506,760
	1984	1,300	2,690	3,501,000
New construction	1983	33,700	197	6,623,880
	1984	33,700	207	7,002,000
Down payments	1983	2,700	433	1,168,920
	1984	2,700	288	778,000
Totals	1983			\$19,482,000
	1984			\$19,450,000

a/ Detail may not compute exactly due to rounding of the average cost factors.

The above cost factor table shows that the construction activity has shifted to a greater emphasis on the categories that provide for repairs to standard condition and new house building. Assistance for down payments has dropped because (1) high interest rates have discouraged some prospective Indian home owners, and (2) recent experience in seeking credit indicates some Indian applicants have difficulty in having loans approved.

Workload Data: It is the current policy for the Federal Government to provide standard housing. The FY 1984 workload based on the proposed funding level is expected to be:

	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
New house starts (HIP)	657	641	900	630	495*
Renovations	3,721	4,074	5,100	3,580	3,460*
Standard	(1,435)	(1,747)	(1,100)	(775)	(770)
Non-standard	(2,286)	(2,327)	(4,000)	(2,805)	(2,690)

\* If funds for associated water and sewage facilities are required to be funded from Bureau appropriations, renovations and new house starts will be reduced by approximately 1,000 units.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Housing	(\$)	23,268	22,068	-1,200
	(FTE-T)	(84)	(84)	--

Tribe/Agency Operations (-\$269,000 net): A proposed decrease of \$402,000 reflects shifting program by priorities among tribes. Funding determination is made by tribes themselves through the tribal priority system based on individual needs and priorities. Applications are processed by tribal housing committees and/or housing authorities, who determine the eligibility, category of repairs or new housing needs, funding amount for each applicant, location and construction time. Priorities are then set and the selected applicants are informed.

The FY 1984 request include an increase of \$133,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Other Indian Housing Programs (-\$931,000): The decrease of \$931,000 will result in the discontinuation of the Bureau's Resident Training and Counselling Program (RTCP). This program is not considered as having as high a priority as other centrally funded programs. The statistical program will continue to be operated in FY 1984 but will be financed using funds assessed against other Housing program components.

Object Class Distribution - Housing Subactivity

Other services.....	- \$ 931,000
Supplies and materials.....	- 269,000
	<hr/>
Total.....	- <u><u>\$1,200,000</u></u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Self-Determination Services

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983	FY	FY	Inc. (+)	Inc. (+)
		Approp. Enacted to date	1984 Base	1984 Estimate	Dec. (-) From 1983	Dec. (-) From Base
A. Grants	(\$)	16,922	17,770**	19,294**	+2,372	+1,524
B. Training and Technical Assistance	(\$) (FTE-T)	2,062 (37)	1,257 (37)	1,116 (37)	-946 (--)	-141 (--)
C. Contract Support	(\$)	31,338	31,338	34,788	+3,450	+3,450
D. Small Tribes Initiative*	(\$)	2,500	2,500	5,000	+2,500	+2,500
<b>Total Requirements</b>	(\$) (FTE-T)	52,822 (37)	52,865 (37)	60,198 (37)	+7,376 (--)	+7,333 (--)
<u>Distribution:</u>						
Tribe/Agency Operations	(\$)	16,922	17,770	19,294	+2,372	+1,524
Area Offices Operations	(\$)	1,715	913	772	-943	-141
Central Office Staff Operations	(\$)	347	344	344	-3	--
Other Indian Services Programs:	(\$)	33,838	33,838	39,788	+5,950	+5,950
Contract Support	(\$)	(31,338)	(31,338)	(34,788)	(+3,450)	(+3,450)
Small Tribes Initiative*	(\$)	(2,500)	(2,500)	(5,000)	(+2,500)	(+2,500)

\* Justification of Program and Performance for the Small Tribes Initiative is displayed separately.

\*\* Includes Area field operations, Training and Technical Assistance funds and 638 Pay Cost (Tribe/Agency).

A. Grants

Authorization: 25 U.S.C. 450 (the Indian Self-Determination and Education Assistance Act) authorizes the Secretary to provide grants to tribal governments to improve their governmental capacity. 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians. Self-Determination grants can be made under this authority as well.

Objective: Provide financial assistance to tribal governments so that they can improve their capacity to: (1) plan, conduct and administer Federal programs with special emphasis on improving their ability to contract; and (2) put special emphasis on strengthening and improving tribal governments with respect to their fiscal and managerial capabilities. This special program emphasis is intended to complement the Aid to Tribal Government Program.

Base Program (\$17,770,000): Section 104 of P. L. 93-638 (25 U.S.C. 450) authorized grants to tribal governments for the purpose of increasing tribal ability to operate Federal programs under contract/grant/cooperative agreement and to enhance the overall quality and effectiveness of tribal governments. It also provides the means for allowing tribes greater participation in the Federal services/programs being provided to them (Sec. 104(a)(4)).

Federally recognized tribal governments apply for 638 grants in accordance with 25 CFR 272, "Grants under Indian Self-Determination Act." These regulations provide the criteria under which 638 grants can be granted to the requesting tribe(s).

In order for tribes to contract for Federal programs, it is necessary that they have viable personnel and financial and property management systems in place and functioning. Because tribal governments are functional bureaucracies they experience similar or the same types of problems as do other governmental agencies. Tribal governments experience a high personnel turnover, both at the policy and administrative management level. This generates a critical need for orientation and training of tribal staff to ensure effective performance of P.L. 93-638 contracts. Self-Determination grants help to support such tribal efforts, thus meeting an essential need of tribal contractors. An effective tribal administrative structure and staff are essential to tribal operations since many tribes rely quite heavily on Federal programs which must be sought on a competitive grant basis. Initially, grants were awarded on a tribal population basis; now, they are a part of the tribal banded priority-setting procedure. The requested amount thus reflects tribal priority needs related to tribal contracting capability and basic tribal operational capacities.

Self-Determination grant projects fall into two major categories:

1. Projects which establish or improve the tribes' capability to operate Federal programs under contract/grant/cooperative agreement (FY 1982, \$16,867,000); and
2. Projects which are designed to establish, maintain, or improve a tribal government's managerial capacity and its ability to act effectively on behalf of its members (FY 1982, \$217,000).

To date, the number of 638 grants awarded since the inception of P.L. 93-638 has varied from approximately 460 to 480 per year.

Generally, Self-Determination grants have been used by tribes to help them prepare for the operation of programs under P.L. 93-638, by undertaking a variety of projects, for example: the development, implementation and maintenance of office management systems and financial management and related systems; the orientation and training of tribal policy makers and administrative staff in the implementation and responsibilities of P.L. 93-638; the acquisition of property to augment tribal facilities allowable under the specifications of 638 regulations; and, the projects that address the specialized needs inherent in the maintenance and implementation of tribal governmental management structures. For the larger, relatively well-established tribe, Self-Determination grants

have provided the support necessary to establish and maintain tribal administrative and financial management systems essential to successful contract program administration. For smaller, less established tribes and rancherias, Self-Determination grants have provided the nucleus or essential seed money to enable them to become established and to acquire the capability to participate in housing, economic and community development, employee training, and similar available programs through contracts and grants with various Federal agencies.

Workload data:

P.L. 93-638 and implementing regulations define the following particular purposes for which tribes may use Self-Determination grants:

- a. Strengthening and improving administration of tribal government through various methods of management systems improvement.
- b. Planning, training, evaluation of those activities designed to improve tribal capacity to enter into agreements pursuant to Section 102 of the Act or the additional costs associated with initial-year of program administration under such agreements.
- c. Acquisition of land in connection with (a) and (b) as prescribed in related regulations pertaining to property management.
- d. Tribal planning, designing, monitoring and evaluation of Federal programs serving the Indian tribe, to assure that programs presently offered or that could be offered to the tribe are responsive to tribal needs.

The majority of Self-Determination grants is used to strengthen and improve tribal governments. The accompanying table reflects the usage made by tribes within the following authorized general categories for FY 1982, and the projected usage for FY 1983 and FY 1984.

	<u>1982</u>	<u>1983*</u>	<u>1984*</u>
a. Strengthen tribal governments	433	435	440
b. Planning and evaluation	19	25	30
c. Land acquisition	2	5	5
d. Design of Federal programs	5	5	5
	<u>459</u>	<u>470</u>	<u>480</u>

\* Projected figures based on available data from Bureau field reports.

The approximate dollar amounts associated with these authorized categories are shown in the following table.

	<u>1982</u>	<u>1983*</u>	<u>1984*</u>
a. Strengthen tribal government	\$ 16,267,000	\$ 16,075,900	\$ 18,329,750
b. Planning and evaluation	600,000	600,731	688,540
c. Land acquisition	102,000	114,224	128,700
d. Design of Federal programs	115,000	131,145	147,010
	<u>\$ 17,084,000</u>	<u>\$ 16,922,000</u>	<u>\$ 19,294,000</u>

\* Projected figures based on available data from Bureau field reports.

The tribal needs addressed through activities conducted under Self-Determination grants reflect an on-going process of political change and growth by the tribes. Frequently changes in the political and administrative framework of individual tribes require orientation for newly installed tribal officers and for administration. Also, newly installed tribal administrative infrastructures require on-going maintenance and updating.

An example of effective use of the Self-Determination grant program is illustrated by the experience of the Cahto Tribe of the Laytonville Rancheria in California. This is a small tribe of approximately 148 members in a community where the native language is spoken and the practice of native traditions is evident. Over the past several years the Cahto Tribe has received a grant of about \$9,000 each year. The tribe has used these grant funds to support their tribal leaders to acquire an understanding of the requirements of day-to-day tribal governmental administration and to use their community center and small staff as a focal point for dealing with tribal and community relations. The grant funds have provided the seed money to train and support tribal staff who have acquired the capability to deal with the Federal and State agencies. As a consequence, the tribe has become active in local elementary education matters, has acquired a small Johnson-O'Malley project and a Title IV project to train children to run basic computer programs. The tribe also has begun to participate in available housing programs and has acquired HUD funding for about thirty-three new homes. The Self-Determination grant funds thus have provided the essential seed money to enable the tribe to function effectively as an enterprising tribal government. The tribe now operates contracts and grants at a volume of approximately \$3,000,000 per year.

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
A. Grants (\$)	17,770	19,294	+1,524

This increase reflects tribal priority setting effected by 460 to 480 participating tribes (out of 480 federally recognized tribes) to place increased emphasis upon further enhancement and updating of their management capabilities. The Bureau will be encouraging tribes in placing particular emphasis on the management tools of bookkeeping, accounting and financial management.

The FY 1984 request includes \$31,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors for technical assistance programs in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Attention will be given to intensified orientation and training of key tribal staff in the implementation of revised P.L. 93-638 regulations and guidelines. These actions will be effected through in-house training efforts (funded through Training and Technical Assistance) as well as the use of consultants to aid tribal staff in updating and augmenting management systems and orientation and training of tribal staff in their use.

## B. Training and Technical Assistance

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians. Training and technical assistance are provided to tribes under this authority.

Objective: (1) To provide technical assistance to tribes to enable them to overcome or prevent declination issues related to contracting and to solve other problems threatening a tribe's ability to perform its responsibilities under contract or grant arrangements; and (2) to provide the Bureau staff necessary to administer the Self-Determination program at the field and central office levels.

Base Program (\$1,257,000): Funds totaling \$1,257,000 will be utilized in FY 1984 to provide up to 480 eligible tribes with Training and Technical Assistance (T/TA) from Bureau staff or by other available Federal or non-Federal sources, such as the Office of Personnel Management, Department of Agriculture, accounting firms, training and technical assistance firms, management system firms, etc. Bureau policy for providing tribes technical assistance under P.L. 93-638 covers that assistance required to overcome declination issues, assistance to initiate and insure successful tribal contract or grant performance, and technical assistance used as a supplement or complement to grants for tribal capacity building. Also, the Self-Determination regulations mandate a number of other situations in the contracting and grant processes where technical assistance must be offered to tribes. Consequently, it is Bureau policy that first priority in the use of T/TA funds must go to meet the obligations imposed by the Act and the regulations. The second highest priority for use of the technical assistance funds is to address urgent, one-time tribal needs involving various phases of the contract and grant process to prevent, wherever possible, the declination of proposed contracts or the cancellation of on-going contracts because of lack of contractor performance or capability. The third priority has been to include all other activities which support the basic intent of the legislation. This includes those which enhance a tribe's ability to contract for Bureau and other Federal programs, those which strengthen tribal government and especially managerial capability; activities which would enable tribes to exercise personnel options under the Act; and other activities which enable tribes to give direction to Bureau and other Federal programs serving tribes by means of planning, designing, monitoring, and evaluating those activities.

Examples of training and technical assistance offered to tribes and Bureau staff include: orientation and training seminars in the procedures and requirements of contracting under P. L. 93-638; training of tribal staff in such management areas as personnel, bookkeeping, and property management; training of tribal personnel in tribal planning; and orientation of newly elected tribal officers in P. L. 93-638 procedures and options.

A major part of the Training and Technical Assistance activity is accomplished through Bureau staff, particularly assigned to coordinate and monitor tribal Self-Determination activities, who work directly with tribal contractors in these efforts. These activities encompass: assistance to tribes in the preparation of contract and grant proposals; review and analysis of specific tribal applications; assistance to tribes during the negotiation and award period; consultation and assistance to tribes during the contract/grant performance period; and the provision of specialized assistance on a one-time basis.

The technical assistance activity services provided by Bureau staff is tailored for the diverse requirements that are unique to individual tribes, such as one-time, specialized tribal assistance to overcoming declination or reassumption issues and in aiding tribes in coordinating contract/grant performance requirements. The Bureau staff also is responsible for helping tribes address specific requirements, regulations, and laws.

In-house training is provided by Bureau staff as a part of assigned duties and on an as-needed basis. An example of such training has included particular training in the use of OMB Circulars (A-102 and A-87) as related to 638 grant usage/requirements. Another example would be providing for basic training in the preparation of proposals, and writing proposals and submittal requirements.

Training may be requested by tribes for basic office management, financial management, form preparation, personnel system management, property management system, etc.

Workload Data:

The Training and Technical Assistance program provides funding for the Bureau staff responsible for the coordination of the Self-Determination program including the Self-Determination grants and contract support as well as the T/TA aspects of the program. Funding is provided for the Agency, Area and Central Office levels. Implementation of the T/TA function is effected at the Area and Agency levels by Bureau staff generally designated as 638 Coordinators. These 638 Coordinators act as a focal point in assisting tribal contractors in the P.L. 93-638 contracting/grant process. A major part of the technical assistance requested by tribes is effected by and through this basic 638 staff. These 638 Coordinators deal with the varied processes and procedures involved in the application, review, negotiation, award and implementation of P.L. 93-638 contracts and grants. They provide a substantial part of the training and assistance requested by tribes in the interpretation and understanding of P.L. 93-638 regulations and in the preparing and processing of 638 applications. They also serve as a focal point through which tribes may review technical problems involved in program implementation, and aid the tribes in identifying and securing assistance needed to overcome such operational difficulties. When the technical assistance requested is beyond the scope, in nature or extent, of available Bureau staff, the 638 Coordinators, within available funding resources, aid the tribes in securing the needed assistance.

An example of the staffing and functional activities with an Area Office is shown in the following summary:

Staffing

Indian Self-Determination Specialist (638 Coordinator)	1 FTE	\$ 40,000
Secretary (Typing)	1 FTE	15,000
Contract/Grant Specialist	5 FTE	100,000
		<u>\$155,000*</u>

\* Includes Employees Benefits and Contributions.

Functional Activities

The 638 Coordinator provides services to tribes and Bureau offices within the Area on the following basis:

Coordination of P.L. 93-638 applications for contracting/grants; e.g., receipt, review, distribution, formulation of appropriate correspondence, interaction with tribal groups and Bureau program staff (non-638). In addition, the Coordinator is responsible for the equitable distribution of Contract Support funds and ensures the proper use of Self-Determination grant funds at the tribal level. The Coordinator serves as the focal point for all 638 and related activities and, in particular, facilitates communication between the Bureau and tribes at this critical point of interface. ....	80%
Training of Bureau staff in 638 policies and procedures on an Area-wide basis. ....	5%
Training of tribal groups and personnel in 638 policies and procedures on an Area-wide basis. ....	10%
Assisting tribes and tribal organizations with difficulties found within the 638 process and interface with the Bureau .....	5%

Secretarial assistance is required to provide the 638 Coordinator with proper and critical administrative support in all of the above listed activities.

Because of the increasing workload in the contracting and grant process, the additional 5 FTE work full-time on the award and administration processes.

Remaining funds allocated to the Area Office in the Training and Technical Assistance function were utilized throughout the year to meet additional, essential needs of the tribes in the Area. Some of the additional T/TA provided to tribes included the development of financial management, procurement, property management and personnel and record keeping systems. These systems have been developed by tribes and tribal organizations through unique contractual and/or grant agreements with the Bureau or through the use of outside contractors. Examples of these systems development are:

- \$75,000 Hopi Tribe - Computerized Financial Management
- \$ 5,000 Paiute Indian Tribe of Utah - Centralized Accounting System, Personnel System and related training activities.

Similar staffing and activity structures exist in each of the other Bureau area offices.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
B. Training and Technical Assistance				
	(\$)	1,257	1,116	-141
	(FTE-T)	(37)	(37)	(--)

Training and Technical Assistance (-\$141,000): The decrease will be effected at the Central and Area Offices through reductions in travel and outside support activities.

### C. Contract Support

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including Contract Support to federally recognized Indians.

Objective: To pay tribes and/or tribal organizations for tribal incremental costs incurred as a result of their contracting to operate Bureau programs, and to provide funding for costs such as severance pay and lump sum leave payments related to the displacement of Federal employees because of contracting with Indian tribes and/or tribal organizations.

Base Program (\$31,338,000): The principal function of contract support is to pay tribes for the incremental costs they incur as a result of entering into P.L. 93-638 contracts. Once a tribe has established an overhead rate which has been verified by an independent audit, it is entitled to have this rate applied to the program amount in P.L. 93-638 contracts it operates. Verification of this rate is done independently of the Bureau, usually by the Department of the Interior Inspector General's Office or other comparable agency. Under certain conditions, lump sum payments for administrative costs may be negotiated by the Bureau.

Since the inception of tribal contracting under P.L. 93-638 in 1976, Contract Support funds have been a significant factor in the steady yearly increase in the dollar volume and program scope of tribal contracting. Thus, in 1976, around 198 tribal contractors engaged in 679 separate P.L. 93-638 contracts with a total value of \$68,390,300. These contracts generally covered the broad range of contractible Bureau programs. In FY 1982, some 295 tribal contractors entered into 1,152 separate contracts for a total of approximately \$235,000,000. The scope of tribal contracting, by area and major program, is shown in the accompanying Workload Table 1. The trend in tribal contracting in terms of number of tribal contractors, number of contracts, and dollar volume of contracting, is shown in the accompanying Workload Table 2.

Contract Support funds provide a critical support of tribal contractors by enabling them to cover the incremental or additional costs they incur as a consequence of operating Bureau programs under P.L. 93-638 contracts. Generally, these incremental or additional costs are incurred in the area of personnel, financial management, and related general administration functions which are supportive in nature to a particular contract program. They also may include such costs which would not apply to Bureau operated programs but which the tribal contractor may be required to cover; e.g., liability insurance and certain legal actions. In addition to personnel costs associated with the above functions, tribes also may incur allowable costs for materials and supplies, travel, consultants, employees fringe benefits and certain other like costs which may be covered with the Contract Support fund allocation. Some of the usual employee positions that may be covered, in whole or in part, include:

<u>Personnel</u>	<u>Financial Administration</u>	<u>Records Management</u>	<u>Property Management</u>
Director	Controller	Records Director	Property Control
Classifier	Accountant	Microfilm Specialist	Manager
Staffing Clerk	(Receivable/Payable Assistant Bookkeeper Clerk	Data Processing Specialist	Inventory Clerk
	Assistant Treasurer		<u>Contract Administration</u>
	Disbursements Manager		Contract Manager
	Distribution Clerks		Contract Specialist
	Payroll Manager		Contract Clerk
	Payroll Clerks		

This listing is indicative of the types of positions that may be funded, in whole or in part, through Contract Support funds. Actual practice will vary from contractor to contractor.

The procedure used by the Department to reimburse tribal contracts for costs such as those listed varies from the general Federal practice. The practice of other Federal agencies in making financial awards to tribes or other grantees is to allow a certain part of the award, and the amount may vary among agencies, to be used to cover such costs. These allowable costs may be identified as administrative costs, support service costs, overhead, or some like term. There is no separate line item in the budget of the awarding agency for such costs. These costs must be covered by the grantee with the award program dollars. The Department's practice is different in that the annual budget request contains a separate budget line item for Contract Support funds to cover such costs of P.L. 93-638 tribal contractors.

The Department's practice is in accord with Section 106(h) of P.L. 93-638 (Indian Self-Determination and Education Assistance Act, 25 USC 450, 88 Stat., 2211, 2212) which requires that ". . . the amount of funds provided under the terms of contracts entered into pursuant to Sections 102 and 103 shall not be less than the appropriate Secretary would have otherwise provided for his direct operation of the programs. . . ."

Strict adherence to this provision would require that total funding for a P.L. 93-638 contract would include specific program dollars and an additional amount equal to the Federal support of such programs such as salaries of line managers, administrative services and other management and support activities funded through other budget items. It has been impractical to implement this provision directly since the budget structure of the Bureau, the implementing agency, did not at the inception of the program provide a clear-cut identification of Bureau program overhead or support costs. Accordingly, the policy has been to request the additional funds required for tribal incremental costs through the separate budget line item, Contract Support funds; to use tribal indirect cost rates as a practical basis for determining Contract Support fund needs; and, to use tribal indirect costs rates as the basis for allocating Contract Support funds to tribal contractors.

Procedures associated with the use of an indirect cost rate, as the basis for compensating tribes for costs incurred by contracting Federal programs, pose serious problems for some tribes and tribal organizations. Tribes negotiate an Indirect Cost Rate (ICR), in accord with Federal standards, with the Office of the Inspector General. Under this procedure those costs which are incurred for a common or joint purpose benefiting more than one cost (program) objective and not readily assignable to the cost objective specifically benefited, are assigned to an indirect cost pool, and subsequently are allocated to all benefited

programs on a proportionate basis. Examples of such indirect costs may include utilities, rent, accounting and like activities. Indirect costs are pooled and, on the basis of their ratio to the total direct cost, are assigned to various programs in the direct cost base (See Example Chart).

Once negotiated, this ICR, which generally is accepted by all Federal agencies, is applied to the program amount of the tribe's P.L. 93-638 contract. On this basis, the Bureau pays its share of tribal indirect cost generated by the Bureau contract. However, some Federal agencies are limited in the amount of indirect costs they can fund. Thus, tribes and tribal organizations may not recover all indirect costs which would be expected by general application of its ICR. This fact is compounded by the current audit procedure prescribed by applicable Federal regulations which pose cost over-recovery and under-recovery problems for tribes.

Tribal indirect cost rates as negotiated by the OIG may vary greatly depending upon various factors. Normally, the indirect cost rate is dependent upon the structure of the agency, purpose, scope and size of the operation, and the manner in which services are provided. These factors vary with each tribal contractor. Consequently tribal ICR's may vary greatly. In Fiscal Year 1981, Bureau field reports indicate that tribal ICR's varied from a low of 4.5 percent to 58.0 percent, with one exceptionally high rate of 109.50 percent. Rates for tribes within each of the 12 geographic areas ranged from a low of 9.0 percent to 30.0 percent. The national average rate was over 16 percent. Average indirect cost rates for recent fiscal years are as follows:

	FISCAL YEAR				
	1980	1981	1982	1983*	1984*
Average Indirect Cost Rate	13.7%	16.2%	13.5%	12-14%	14.0%
*Projected Rates					

Thus, there was a sharp increase in FY 1981 over FY 1980. Field reports indicate the rate for FY 1982 is down about 13.5%, and the projections for FY 1983 and FY 1984 reflect an anticipated leveling off of negotiated tribal indirect cost rates.

Use of the Indirect Cost Rate approach as a major factor in projecting the need for Contract Support Funds (CSF), and the primary basis for allocating such funds to tribal contractors, have resulted in significant difficulties. In practice, it has been difficult to project CSF needs on the basis of anticipated volume of tribal contracting and an estimated average indirect cost rate. Consequently, shortfalls have been experienced which have impacted seriously upon tribal contractors efforts. Also, the fact that various other Federal agencies, with which tribes also contract, do not meet their full share of the tribal contractors indirect cost rate, adds to the financial management problems faced by tribal contractors. This difficult situation which then results for tribes is further impacted by the fact that existing audit requirements which the OIG must apply to tribal contracts, results in an under-recovery of funds based on the contractors ICR, which requires adjustments in the tribal contractor's subsequent year rates. As a consequence of all the critical results associated with the current procedure, an independent organization has conducted, under contract, an indepth study of the Contract Support fund/indirect cost procedures. A major finding of this study was that "most of the problems and difficulties being encountered, in relation to Contract Support/Indirect costs, lies in the decision to base Contract Support funding on tribal indirect costs and distribute Contract Support funds on the basis of the tribal indirect cost rates." The

study noted that while the practice grew out of an effort to "reasonably and readily identify the incremental costs associated with P.L. 93-638 contracting, it was based on a misunderstanding of the true nature of the indirect and direct cost allocation process" prescribed in pertinent Federal regulations. A further finding was that the decision to fund "tribal indirect costs associated with P.L. 93-638 contracts. . . through a separate Contract Support fund. . . did not, as intended, merely provide for the additional funds required for a tribe to manage a new program. . . [it] also created an open-ended uncontrollable, entitlement fund, the size and distribution of which depended solely on the initiative and ingenuity of each tribe in expanding its administrative organization and shifting the maximum amount of expenses to the indirect, rather than direct, category." Consequently, the primary recommendation of the study is to "discontinue the use of Contract Support funds for tribal indirect costs, as such" and to develop "a statistically derived BIA ratio (overhead cost rate). . ." which would be applied to the program amount of a particular contracted program. The study further recommends that Contract Support funds be used to supplement additional costs incurred by tribal contractors only until the full cost can be included in the basic Bureau of Indian Affairs budget. The Bureau is examining this recommendation and alternatives to try to improve the method for funding indirect costs while ensuring that any changes made provide incentives for further tribal contracting of services.

A special staff is being requested in FY 1984 under the Management and Administration subactivity of General Administration to provide oversight and evaluation of the Bureau's P.L. 93-638 contract and grant administration functions. This staff's role will be to assure fund accountability, proper delivery of services, and improved management control (see that justification for more details).

Workload Data: In FY 1982, approximately 295 tribes and tribal organizations contracted to operate \$235,000,000 worth of programs under P.L. 93-638. During this period a total of \$27,300,000 in Contract Support funds was allocated to tribal contractors to cover incremental costs incurred by tribes in the operation of these programs. Current estimates indicate that tribal contracting will increase modestly during FY 1983. In FY 1984, tribal contracting will approximate \$245,000,000 and the tribal incremental costs will approximate \$34,788,000.

WORKLOAD TABLE 2

Trends in Tribal Contracting  
Under P.L. 93-638 FY 1980 - FY 1984

<u>Fiscal Year</u>	<u>No. of Tribal Contractors</u>	<u>No. of Contracts</u>	<u>Dollar Volume Of Contracts</u>
1980	371*	1,292*	\$204,000,000
1981	382*	1,265*	213,000,000
1982	295***	1,152	235,000,000
1983**	300***	1,160	240,000,000
1984**	305***	1,180	245,000,000

\* Includes approximately 100 Indian Action Team contracts subsequently combined into other programs or discontinued.

\*\* Projected on the basis of past performance trends and initial field reports.

\*\*\* Includes 14 Native organizations and 6 Johnson-O'Malley/Education Committees in Alaska which represent 138 native villages.

WORKLOAD TABLE 1

TRIBAL CONTRACTING BY AREA AND MAJOR ACTIVITY - FY 1982

AREA	INDIAN SERVICES	TRUST ACTIVITIES	FACILITIES OPERATION	IRRIGATION OPERATION	ECONOMIC DEVELOPMENT	NATURAL RESOURCES	EDUCATION	TOTAL
Aberdeen	9,664,683	391,734	1,386,025	5,953,000	1,938,922	619,532	12,149,860	32,103,756
Albuquerque	4,760,668	60,156	1,365,730	0	757,809	65,480	7,959,419	14,969,262
Anadarko	2,168,195	0	0	0	928,874	40,000	0	3,137,069
Billings	4,665,453	156,337	354,000	0	716,280	498,824	5,171,926	11,562,820
Eastern	4,438,490	328,496	393,552	0	1,163,558	1,381,747	2,793,179	10,499,022
Minneapolis	3,891,436	1,832,437	177,916	0	1,975,313	823,725	6,022,135	14,722,962
Muskogee	2,122,350	52,990	14,680	0	916,821	345,102	2,227,784	5,679,727
Navajo	34,085,623	0	526,263	0	0	946,922	18,612,989	54,171,797
Phoenix	14,856,115	59,768	227,110	17,923,755	2,082,202	2,544,927	4,514,824	42,208,701
Portland	5,932,296	1,086,194	404,035	0	1,369,514	11,331,315	4,354,787	24,478,141
Juneau	7,098,662	870,137	0	0	3,619,075	1,218,366	7,655,525	20,461,765
Sacramento	103,637	10,000	0	105,486	50,000	189,314	592,825	1,051,262
TOTALS	93,787,608	4,848,249	4,849,311	23,982,241	15,518,368	20,005,254	72,055,253	235,046,284

NOTE: This table reflects information available from field offices reports.

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FY 1983 INDIRECT COST PROPOSAL  
FY 1981 ACTUAL INDIRECT COST POOL  
FOR THE PERIOD OCTOBER 1, 1980 THROUGH SEPTEMBER 30, 1981

<u>LINE ITEM</u>	<u>PROPOSED ACTUAL FY 1981 DIRECT COST POOL</u>	<u>ADJUSTMENTS</u>	<u>ACTUAL FY 1981 INDIRECT COST POOL</u>
Salaries:			
<u>Executive</u>			
Chairman:			
Chairman (25%)	\$ 6,000		\$ 6,000
Executive Assistant (25%)	1,400		1,400
Administrative Officer (25%)	4,000		4,000
Administrative Secretary (50%)	2,500		2,500
Treasurer:			
Treasurer (25%)	5,000		5,000
Secretary:			
Secretary (25%)	4,000		4,000
Assistant Secretary (25%)	2,800		2,800
Executive Secretary (25%)	2,800		2,800
Clerk (25%)	2,300		2,300
<u>Property Management</u>			
Administrative Office:			
Property Director	15,000		15,000
Property Secretary	5,000		5,000
Property Management:			
Inventory Clerk	13,500		13,500
Motor Pool:			
Manager	11,500		11,500
Mechanic	4,000		4,000
Clerk-Typist	7,800		7,800
Nonclassified Help	1,100		1,100
Procurement:			
Officer	6,300		6,300
Truck Driver	6,100		6,100
Nonclassified Help	2,000		2,000
Janitorial:			
Custodian	10,000		10,000
Janitors (6)	44,600		44,600
Nonclassified Help	3,600		3,600



FY 1983 INDIRECT COST PROPOSAL  
FY 1981 ACTUAL INDIRECT COST POOL  
FOR THE PERIOD OCTOBER 1, 1980 THROUGH SEPTEMBER 30, 1981

<u>LINE ITEM</u>	PROPOSED ACTUAL FY 1981 DIRECT COST POOL	<u>ADJUSTMENTS</u>	ACTUAL FY 1981 INDIRECT COST POOL
Fringe Benefits	29,000		29,000
Consultant and Contract Services	68,000		68,000
Travel	28,000		28,000
Occupancy Costs	36,000		36,000
Supplies and Materials	25,000		25,000
Capital Outlays	9,800	9,800 <u>1/</u>	-0-
Other Expenditures	<u>21,400</u>		<u>21,400</u>
Total FY 1981 Actual Indirect Cost Pool.	\$606,600	9,800	\$596,800

NOTE:

1/ Capital Expenditure.

This chart is the method used for deriving the indirect cost rate (ICR).

Increase for FY 1984:

(Dollar Amounts in Thousands)

	FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
C. Contract Support (\$)	31,338	34,788	+3,450

Contract Support (+\$3,450,000): The increase will meet tribal Contract Support funds needs on P.L. 93-638 contracts approximating \$245,000,000. Justification for the increase is reflected in the workload table.

Tribal contracting has increased markedly on a volume basis. The average tribal indirect cost rate, which has been the basis for allocation of Contract Support funds to tribal contractors, has continued to increase on a greater than anticipated scale. This funding will allow the Bureau to respond to tribal contractor needs on a more realistic basis and will provide the essential support for tribes to maintain and increase the emphasis on contracting under P.L. 93-638. Difficulties incurred over recent years in accurately forecasting Contract Support funding needs, with attendant shortfalls, have led the Bureau to seek a more realistic method for meeting incremental cost needs incurred by tribal contractors. The Bureau is currently working on ways to determine a fair and equitable method of distributing current Contract Support funds to existing contracts.

Justification of Program and Performance

Activity: Indian Services  
Subactivity: Self-Determination Services  
Element: Small Tribes Management Initiative

(Dollar Amounts in Thousands)

<u>Program Element</u>		1983				
		<u>Approp. Enacted to date</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From 1983</u>	<u>Inc. (+) Dec. (-) From Base</u>
Small Tribes Management Initiative	(\$)	2,500	2,500	5,000	+2,500	+2,500
Total Requirements	(\$)	2,500	2,500	5,000	+2,500	+2,500

Authorization 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 25 U.S.C. 13 (The Snyder Act of November 2, 1921).

Objective: To provide small tribes (1,500 and less population) with core-management capability to enable them to administer tribal affairs and programs in a competent and responsible manner. The initiative will supplement and complement existing self-determination grants and other management resources of a tribe to insure coordinated or integrated utilization of available resources to achieve the necessary tribal management capability.

Base Program (\$2,500,000): Under present circumstances many small tribes lack sufficient financial resources to meet basic management needs because the level of funding for most Federal assistance grants is based on population size. For example Self-Determination grants range from \$5,000 to \$20,000 and small tribes usually receive \$5,000 and frequently less.

The Small Tribes Management Initiative, started in FY 1983 with a \$2,500,000 budget, is intended to assist all eligible tribes over a five-year period to establish and maintain sound core-management capability. This is accomplished through supplementing the resources of small tribes in order to enable them to address those needs which are fundamental to sound management such as hiring an administrator, a bookkeeper or clerical support. Such assistance will enable small tribes with limited resources to overcome specific problems associated with governmental operations and the administration of tribal and Federal programs, with particular emphasis being placed on financial accountability. Through such support, this program will contribute to the stability of small tribal governments and will set a climate for community and economic development and other activity designed to reduce tribal dependency and promote small tribes exercise of self-determination.

Applicants may request assistance to meet their respective management needs in a variety of ways. Some examples of how applicants may use core-management grants include:

Employment of an overall program administrator and necessary support staff if the applicant operates several Federal programs and lacks financial resources to employ such personnel;

Employment of a bookkeeper when it is determined that a multi-tribal organization operating several Federal programs experiences problems resulting from an untrained bookkeeping staff;

Employment of a "circuit rider" accountant to establish and maintain a financial management system for each member tribe of a multi-tribal organization. (Additionally, a "circuit rider office" staffed by an accountant and necessary support staff may be established in support of a large multi-tribal organization);

Employment of a tribal planner or economic development specialist in cases where the tribe has substantial, identifiable undeveloped resources and does not have funds to plan for the development of such resources;

Employment of staff to address specific and/or identifiable managerial problems under a one-time only grant; and

The retention of an accountant to perform annual independent audits.

The employment of such staff is to be on a temporary basis to be specified in terms of the completion of special program requirements or objectives of the tribe and not of a permanent nature.

Eligibility for participation in the Small Tribe Management Initiative program depends upon individual tribal population, individual tribal resources, tribal management needs as identified by audits and performance criteria, tribal geographic location factors and other factors pertinent to tribal need. The assessment of tribal need is based upon its meeting at least three of the following criteria:

- (1) A lack of financial resources to meet its core administrative or management needs
- (2) Presentation of audit reports indicating serious financial management problems;
- (3) Delinquency in making progress or financial status reports;
- (4) Failure to close-out program grants or contracts which are no longer in operation;
- (5) Experience of problems in achieving current or past contract or grant program goals and objectives;
- (6) Inability to plan and implement the development of substantial, identifiable undeveloped reservation resources which exhibit a strong potential for development;
- (7) Inability to develop acceptable grant or contract applications;
- and (8) Dependence on Federal grants or contracts for programs, services, income and job opportunities.

For tribes with a population of less than 400, program funding is generally limited to those tribes which enter into a consortium with other small tribes in their geographic area.

Core-management grant funds may be used to supplement other available resources such as tribal income, self-determination grants or certain grants funded by other agencies. However, tribes receiving assistance must demonstrate how these other available resources will be committed to complement or support this effort.

Assessment of tribal applications will be based upon the following information required of all participants:

(1) A statement of the specific needs and/or problems to be addressed under the proposed grant as provided by program guidelines; (2) A description of how the grant funds will be used to overcome the problems or meet the needs which have been identified; (3) A schedule for the start and projected completion dates for actions or efforts to be taken to resolve problems or meet needs identified under this grant; (4) A detailed description of how grant funds will be used in coordination with, to supplement, self-determination grants and/or contracts, or funds from other agencies; and (5) A budget justification which indicates how grant funds will be used to carry out the actions or efforts and achieve the goals and objectives of the proposed application.

Review of this process is performed in two stages. The initial review is conducted by the appropriate Agency Superintendent who examines applications for completeness and issues recommendations to the designated Area Office. The Area Office performs the final review of applications for consistency with program guidelines and uses comments and recommendations of the Superintendent.

In FY 1983, nine (9) Area Offices will receive \$2,500,000 of grant funds for this purpose. The distribution of funds to these areas will be based on:

- The number of small tribes eligible for grants in each of the nine areas;
- The number of multi-tribal or consortium applicants in each Area;
- The population and relative need of the applicants in each area;
- The number of tribes and population of consortia applicants as well as need documented by such applicants.

Participation in the program is limited to those tribes willing to make the commitments to: prepare a tribal management program with specific objectives; staff the program with competent professional personnel on a merit basis; and agree that tribal political officers will not be appointed to program positions. Procedures have been established and guidelines issued to ensure that eligible tribes commit themselves to meeting these requirements. Bureau agency staff will monitor the program for compliance using existing P.L. 93-638 grants performance standards.

The purpose of monitoring will be to (1) review progress of grant activities and (2) identify technical assistance needs; monitoring will be conducted on a quarterly basis or on an as-needed basis. That is, "problem grantees" when identified will be monitored more closely and frequently than non-problem grantees. Problem grants will be monitored quarterly which will allow agency staff to provide technical assistance to overcome identified problem areas. Grantees experiencing few or no problems in carrying out the purpose of their grants will be monitored only twice during the grant year thereby allowing Bureau staff to concentrate their time and effort where needed.

Participating tribes will be expected to use P.L. 93-638 grants and indirect cost funding to meet their additional management needs to the greatest extent possible. For eligible tribes, the supplemental funding would assure that the so-called critical mass, in terms of resources to support a sound tribal financial and program management system, would be met.

Through the continuation of this effort, it is intended that small tribes will establish and maintain a sound tribal administration; establish and maintain the capability to operate contracted programs; and the capacity to maintain property and accounting records so as to meet all performance evaluation standards and financial audits. It is also expected that improving small tribes' management systems will contribute to the stability of small tribal governments as well as allow such tribes to set a climate for community and economic development and other activity designed to reduce tribal dependency and promote an increase in the exercise of self-determination by small tribes.

Workload Data, estimated participation is: The 95 grants awarded under this initiative will require no additional Bureau staff; present Agency and Area personnel will administer and monitor the program.

	<u>Estimated Number</u>	<u>Estimated Ave. Cost</u>	<u>Estimated Total Cost</u>
Small Tribe Consortium (Individual population of less than 400 persons)	15	\$80,000	\$1,200,000
Tribal Participants (Individual tribes having populations between 400 and 1,500)	80	\$47,500	<u>\$3,800,000</u>
			\$5,000,000

Increase for FY 1984:

(Dollars Amounts in Thousands)

	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Small Tribes Core- Management Grants (\$)	2,500	5,000	+ 2,500

The increase of \$2,500,000 reflects full-year funding as opposed to the part-year funding as was the case for the Core-Management Grant Program for Small Tribes in FY 1983.

Object Class Distribution - Self-Determination Services Subactivity

Travel and transportation of persons.....	-	\$ 20,000
Transportation of things.....	-	20,000
Communications, utilities, and other rent.....	-	10,000
Printing and reproduction.....	-	10,000
Other services.....	+	3,430,000
Supplies and materials.....	-	41,000
Equipment.....	-	20,000
Grants, subsidies, and contributions.....	+	4,024,000
		<hr/>
Total.....	+	<u>\$7,333,000</u>

Justification of Program and Performance

Activity: Indian Services  
 Subactivity: Navajo-Hopi Settlement Program

(Dollar Amounts in Thousands)

Program Element	FY 1983	FY 1984	FY 1984	Inc. (+)	Inc. (+)
	President's Budget	Base	Estimate	Dec. (-)	Dec. (-)
				From 1983	From Base
Navajo-Hopi Settlement Program	(\$) (FTE-T) 3,899 (75)	3,945 (75)	3,951 (75)	+52 (--)	+6 (--)
Total Requirements	(\$) (FTE-T) 3,899 (75)	3,945 (75)	3,951 (75)	+52 (--)	+6 (--)

Distribution:

Other Indian Services Programs: (\$) 3,899 3,945 3,951 +52 +6

Navajo-Hopi Settlement Program

*1984*

Authorization: P.L. 93-531, 88 Stat. 1712 (The Navajo-Hopi Settlement Act) requires the Secretary to protect the rights of relocatees, reduce livestock in the former Joint-Use Area and restore the rangeland by 1986.

Objective: To carry out provisions of the Act of December 22, 1974, P.L. 93-531, 88 Stat. 1712, requires the Secretary of the Interior to protect the rights of relocatees, reduce stock to carrying capacity and restore the management and grouping capacity of rangelands lying within the former Navajo-Hopi Joint Use Area.

Base Program (\$3,945,000): The Navajo-Hopi Settlement Program will be continued as required by P.L. 93-531, enacted in 1974, amended in 1980. The initial stock reduction program of 160,000 sheep units is near completion. To keep the number of animals within the authorized carrying capacity, herd growth is limited. Trespass action is required on all livestock migrating into the area. Livestock reduction will continue in FY 1983.

On January 24, 1982, the Federal District Court for Arizona invalidated regulations used on the Former Joint Use area creating some temporary problems in livestock control and management of the area. New interim regulations have been completed on Hopi Partitioned Lands and will be completed on Navajo Partitioned Lands in the near future.

With livestock reduction and restoration of several large areas on Hopi Partitioned Lands the carrying capacity has significantly increased. Range restoration and range development were initiated at a later date on Navajo Partitioned Lands. FY 1984 plans will emphasize range restoration, range development, management units, and continued fencing of the exterior and interior boundaries.

Increase for FY 1984

(Dollar Amounts in Thousands)

<u>Program Element</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
Navajo-Hopi Settlement Program	(\$) (FTE-T)	3,945 (75)	3,951 (75)	+6 (--)

The FY 1984 request includes an increase of \$6,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Object Class Distribution - Navajo-Hopi Settlement Program Subactivity

Other services..... +\$6,000

Justification of Program and Performance

Activity: Economic Development and Employment Programs  
 Subactivity: Employment Development  
 Element: Employment Assistance

(Dollar Amounts in Thousands)

Program Elements	1983		FY		Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
	Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate			
Employment Assistance	(\$) (FTE-T) 27,429 (152)	29,768 (202)	27,641 (152)		+212 (--)	-2,127 (-50)
Total Requirements	(\$) (FTE-T) 27,429 (152)	29,768 (202)	27,641 (152)		+212 (--)	-2,127 (-50)

Distribution:

Tribe/Agency Operations	(\$)	25,088	26,438	25,266	+178	-1,172
P.L. 93-638 Pay Cost (Tribe/Agency)	--	--		130	+130	+130
Area Office Operations	(\$)	2,100	835	735	-1,365	-100
Central Office Staff Operations	(\$)	241	235	210	-31	-25
Special AVT (SIPI)	(\$)	--	2,260	1,300	+1,300	-960

Authorization: Adult Vocational Training - P.L. 84-959 (70 Stat. 986) as amended by P.L. 88-230 (77 Stat. 471; 25 U.S.C. 309); Direct Employment - 42 Stat. 208; 25 U.S.C. 13.

Objective: To provide adult vocational training and job placement assistance to Indians and Alaska Natives in order to promote economic self-sufficiency for tribal and Alaska Native people and their governments.

Base Program (\$29,768,000): Unemployment on Indian reservations continues to be critical despite progress in the area of economic development. Based on the most recent Bureau labor force estimates report, December 1981, the national unemployment rate among Indians has been estimated at 31%. It is projected that the percentage rate of reservation unemployment for other years is as follows: FY 1982, 32%; FY 1983, 33%; and FY 1984, 34%. There is an estimated target group of 150,000 Indians who are currently unemployed and able to work. This includes those who earn \$7,000 or less per year, high school graduates who do not seek higher education, and college and high school dropouts. Of this amount, 80,000 are actively seeking employment and could benefit by some form of assistance in vocational training and job placement.

The Employment Assistance program has two basic activities which are designed to help alleviate unemployment on Indian reservations. These two activities are: Adult Vocational Training and Direct Employment (Job Placement). If 83% of the participants in these two programs were placed in jobs, the unemployment rate would drop one percent.

The private sector is used by these programs to provide training and employment. Private training schools with a recognized reputation in the field of vocational training and an established record of successfully placing their students in suitable employment upon graduation are utilized. Approximately 400 private vocational training schools are used. These schools offer training to the Indian trainee in courses such as welding, auto mechanics, computer programming, secretarial, registered nursing, cosmetology, inhalation therapy, x-ray technology, etc. Employment is provided primarily by the private sector with about 20% of the total placements being with the state and Federal governments.

Adult Vocational Training (\$19,173,000): The Secretary is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship and on-the-job training. The period of training is for 24 months except for registered nurse training which cannot exceed 36 months. The program is available to adult Indians, 18-35 years of age, who reside on or near an Indian reservation. Applicants are assisted in the selection of their training program through the interpretation of the General Aptitude Test Battery (GATB) and personal counseling. This is to insure that each applicant is in a field where he/she can attain the necessary skills in order to become employable.

Of the \$19,173,000 Adult Vocational Training FY 1984 Base funding, approximately \$8.2 million will be contracted in FY 1983 by the tribes and \$0.4 million will be under contract with non-Indian organizations. The remainder is direct Bureau operations. The types of Bureau personnel operating the program include vocational development officers, vocational development specialists, and counseling assistants. The responsibilities at the various levels are as follows:

Central Office staff provides overall technical supervision of the Adult Vocational Training program, as well as administrative leadership, direction, support and coordination of the Bureau staff at the Area and Agency levels.

Area Office staff is responsible for the development and operation of the Adult Vocational Training program at the Area level and works closely with the agencies and tribes under its jurisdiction in the actual placement of program participants in training and jobs.

Agency Office staff is responsible for providing vocational training services to eligible Indians, taking applications; providing counseling, guidance, funds to applicants; and working closely with the tribes under the agency jurisdiction.

In the FY 1984 Base, the funding for Southwestern Indian Polytechnic Institute (SIPI) students has been tentatively transferred to the Employment Assistance (Adult Vocational Training) program. The transfer has been accomplished in order to properly display the Base amount for SIPI when comparing the FY 1983 operation of the school to the FY 1984 tentative proposal under the Special AVT - SIPI program. During FY 1983, SIPI is continuing to operate as a post-secondary vocational training school at an educational program funding level of \$2,260,000 using current Bureau staff. A special task force has been established at the direction of the House Subcommittee to review operational alternatives for SIPI after the FY 1983 spring term. The recommendations of the task force are expected by March 31, 1983.

The following is a list of all training programs to be funded under AVT at the Base program funding level (FY 1983 operations):

<u>Vocational Training Program Title</u>	<u>FY 1984 Base</u>		<u>FY 1984 Estimate</u>	
	<u>Funding</u>	<u>Participants</u>	<u>Funding</u>	<u>Participants</u>
1. Special AVT - SIPI, assuming continued Bureau operation of the school.....	\$2,260,000	400	\$1,300,000	450
2. National Ironworker Training Program, Contract with the International Association of Bridge, Structural and Ornamental Iron Workers (AFL-CIO).....	\$435,000	102	440,000	100
3. United Tribes Educational Technical Center (UTETC), Contracted with United Sioux Tribes of North Dakota.....	\$1,056,000	248	\$1,238,200	282
4. AVT Program, contracted by tribes.....	\$7,195,208	1,694	\$8,735,515	1,985
5. AVT Program, operated by Bureau staff.....	\$8,226,792	1,936	\$10,091,285	2,293
Totals	<u>\$19,173,000</u>	<u>4,380</u>	<u>\$21,805,000</u>	<u>5,110</u>

The following is a historical listing, from FY 1980 through FY 1982, of all vocational training program participants and the success rate of job placement:

<u>Vocational Training Program</u>	<u>Total Participants</u>	<u>% Placed in Employment</u>	<u>% Retained on-the-job After 1 Year*</u>
National Ironworker Training Program	290	95%	100%
United Tribes Educational Technical Center	696	90%	80%
AVT Program (includes tribe and Bureau operation)	16,092	90%	90%
Special AVT-SIPI**	-0-	-0-	-0-

\* Does not include FY 1982 participants. This group has not been on-the-job for one year.

\*\* Not included. This program was administered by the Bureau's Office of Indian Educational Programs 1980-1983.

Direct Employment (\$10,595,000): It is estimated that \$2.1 million will be contracted by the tribes and the balance will fund direct Bureau operations in FY 1983.

Direct Employment (job placement) services are provided to federally recognized Indians. This program assists those Indians who have an employable skill and need employment. The end result is to assist the individual Indian to find, become established in, and retain suitable employment. The applicant's skills are identified from information submitted on the application form and through personal counseling. The applicant is then placed in a job that meets his/her skills levels.

Fifty-one (51) of the total Bureau staff of 83 personnel in this program are located at the Agency level where applications are taken and processed, funds committed, employment counseling and guidance provided and employment contacts made. Staff in this program are vocational development specialists with emphasis on job placement. The responsibilities at the various levels are basically the same as those stated under Adult Vocational Training.

Personnel responsible for job placement, at the Agency level, maintain contact with employers in the private sector through state and private employment offices and personal contacts. Employment in State and Federal jobs are accomplished through personal contacts with the appropriate personnel office. Screening applicants to be employed is done in accordance with hiring policies of the prospective employer. In most cases, the job placement specialist is acquainted with those hiring policies. If testing, job interviews, employment form completion, or medical examinations are required, the job placement specialist knows this in advance of referring an individual to a prospective employer.

Applicants are placed in those fields where jobs are available and where they are qualified for employment. Sufficient information is asked for on the program application form to determine the individual's qualifications. Some of the types of jobs the applicants are placed in are auto mechanics, cooks, hair cutters/stylists, registered nurses, computer programmers, secretaries, accountants, carpenters, airline hostesses, hotel/motel managers, heavy equipment operators, etc.

The following is a historical listing, from FY 1980 through FY 1982, and projected figures for FY 1983 and FY 1984, of all Direct Employment program participants and the success rate of job placement:

<u>Fiscal Year</u>	<u>Total Participants</u>	<u>% Placed in Employment</u>	<u>On-the-job After 1 Year</u>
1980	8,974	95%	85%
1981	6,527	95%	85%
1982	5,252	90%	88%
1983	5,324	90%	90%
1984	2,305	90%	90%

Participants in the Adult Vocational Training (AVT) and Direct Employment (DE) activities may receive the following types of assistance. Approximate amounts budgeted for FY 1983 and FY 1984 (including amounts for program supervision and support services) are also shown:

1. Transportation and subsistence enroute to training or employment location.  
(AVT - FY 1983, \$1,686,500; FY 1984, \$1,917,300)  
(DE - FY 1983, \$2,129,800; FY 1984, \$1,167,200)

2. Training applicants receive a weekly subsistence while in training. Job placement applicants receive subsistence until they receive their first paycheck. Emergency subsistence is provided, if needed.

(AVT - FY 1983, \$6,746,000; FY 1984, \$7,669,200)  
 (DE - FY 1983, \$3,194,700; FY 1984, \$1,750,800)

3. Medical costs and eyeglasses, if not covered by Indian Health Service.

(AVT - FY 1983, \$ 337,330; FY 1984, \$ 383,460)  
 (DE - FY 1983, \$2,768,740; FY 1984, \$1,517,360)

4. Purchase of necessary tools for training or employment.

(AVT - FY 1983, \$ 674,600; FY 1984, \$ 766,920)  
 (DE - FY 1983, \$2,555,760; FY 1984, \$1,400,640)

5. Tuition and related training costs for trainees.

(AVT - FY 1983, \$7,420,600; FY 1984, \$8,436,120)  
 (DE - FY 1983, \$ N/A ; FY 1984, \$ N/A )

Workload Data:

	FY 1982	FY 1983 Estimate**	FY 1984 Estimate
<u>AVT Participants:</u>			
In training at start of year	2,391	1,602	1,379
New entries during year	1,825	2,028	2,899
Total number in training	4,216	3,630	4,278
Carryover to next FY	*1,602	1,379	1,626
<u>Terminations:</u>			
Completed - placement	*2,614 (1,255)	2,251 (1,093)	2,625 (1,270)
Completed - non-placement	(221)	(178)	(227)
Negative terminations	(706)	(598)	(690)
Positive terminations	(432)	(382)	(465)
<u>Ironworkers Training:</u>			
Participants	100	102	100
Completions	80	80	80
Terminations	20	22	20
<u>UTETC:</u>			
Participants	152	248	282
Completions	90	131	160
Terminations	62	117	122
<u>Average cost per trainee (total program)</u>			
	\$4,000	\$4,250	\$4,400

\* These figures include the participants for the Ironworkers Training Program and the United Tribes Educational Technical Center (UTETC).

\*\* Some changes reflected in FY 1983 data are the result of discontinued use of OMB form 50A as a factor in determining average costs. The adjusted participation rate divided into the total vocational training appropriation in FY 1983 yielded an average cost of \$3,994. A survey of six Area Offices indicates the average cost per trainee to be \$4,250. This change in costs resulted in changes in the FY 1983 workload data shown above.

Workload Data (Continued):

<u>Special AVT - SIPI</u>	<u>FY 1983</u>	<u>FY 1984 Base Est.</u>	<u>FY 1984 Estimate</u>
In training at start of year	Not	---	200
New entries during year	operated	400	250
Completions	in	100	135
Terminations	the AVT	100	110
Carryover to next FY	program	200	205
Average cost per trainee	---	\$2,625	\$2,900

Direct Employment

Total participants	5,252	5,324	2,305
Average cost per participant	\$1,800	\$2,000	\$2,200

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Employment Assistance (\$) (FTE-T)	29,768 (202)	27,641 (152)	-2,127 (-50)

The Employment Assistance program in FY 1984 will be able to assist 7,245 Indians; 4,940 in training, and 2,305 placed in employment.

Tribe/Agency Operations (-\$1,042,000 net): The estimated total of Direct Employment participants for FY 1984 will decrease substantially because in setting their priorities, the tribes elected to place more emphasis on adult vocational training. This change has increased the funding level of Adult Vocational Training and reduced funding for Direct Employment.

The FY 1984 request includes an increase of \$130,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638. This increase (\$130,000) minus the total reduction (\$1,172,000) will provide a net decrease of \$1,042,000 as stated below.

(Dollar Amounts in Thousands)

	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Change From Base</u>
Direct Employment (\$)	9,662	5,028	-4,634
Adult Vocational Training (\$)	16,776	20,368	+3,592
Total	26,438	25,396	-1,042

The FY 1984 level of participation in the Direct Employment activity has been estimated at 2,305, with an overall funding level of \$5,028,000 at the Tribe/Agency level. This reflects a \$4,634,000 funding decrease from the FY 1984 Base. The estimated number of participants (2,305) in FY 1984 is a reduction of 3,019 from the 5,324 level of the previous year. Approximately 85% of these placements will be in the private sector.

The impact on the Adult Vocational Training activity results in an increase of \$3,592,000 for FY 1984 at the Tribe/Agency level. This increase is the result of tribal emphasis on vocational training. The FY 1984 level of participation for the Adult Vocational Training activity is projected to be an increase of 672 applicants from the prior year level of 3,968. For FY 1984, it is anticipated that over 4,490 trainees will be assisted by the Adult Vocational Training program at an average cost of \$4,400 per trainee. More than one-third of these will successfully complete their training and approximately 85% of these will be placed in employment. An example of this would be the National Iron Workers' Training program where in this program alone, 85% of the total number of participants as shown in the workload data are placed in jobs in the private sector. Less than one-third will terminate from the program and approximately 39% of these will be positive terminations; entry into higher education, entry into military service, etc.

Area Office Operations (-\$100,000): The following is a breakdown of Area Office operations cost by program:

<u>Program Title</u>	(Dollar Amounts in Thousands)		
	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Change From Base</u>
Direct Employment	698	598	-100
Adult Vocational Training	<u>137</u>	<u>137</u>	-
Total	835	735	-100

The decrease reflects a reduction in the program supervision cost of all the Area Office levels based upon Area priorities.

Central Office Operations (-\$25,000): The following is a breakdown of Central Office operations cost by programs:

<u>Program Title</u>	(Dollar Amounts in Thousands)		
	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Change From Base</u>
Direct Employment	235	210	-25

This decrease is due to a proposed reduction in the program supervision cost at the Central Office levels.

Special AVT - SIPI (-\$960,000): This reflects a decrease in program supervision costs due to the anticipation of contracting out the operation of SIPI. Included in this amount is the reduction of 50 FTE's for the Bureau staff which will no longer be required under a contract operation. This reduction will not affect the anticipated enrollment of 450 participants. The Special AVT - SIPI program tentatively proposed for FY 1984 would modify the current Bureau FY 1983 operation of Southwestern Indian Polytechnic Institute, Albuquerque, New Mexico. In FY 1984, SIPI students are tentatively proposed to be funded under AVT. Alternatives are being reviewed by a special task force as directed by the House Subcommittee. The recommendations of the task force are expected by March 31, 1983. Indian students will continue to be afforded opportunities for vocational training and job placement upon completion of their training. The cost of this project in FY 1984 is estimated at \$1,300,000. It is anticipated that 450 trainees will be assisted by this program at an average cost of \$2,900.

Object Class Distribution - Employment Development Subactivity

<u>Position Title</u>	<u>Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Education Program Administrator..	12/13	-2	-\$71,901
Secretary.....	4/6	-4	-59,892
Clerk.....	3/5	-4	-54,310
Supply Technician.....	7	-1	-18,767
Director of Administration.....	11	-1	-30,227
Teacher.....	7/11	-30	-704,966
Guidance Counselor.....	9/11	-6	-160,094
Computer Programmer.....	9	-1	-20,256
Education Specialist.....	11	-1	-26,142
Financial Assist. Specialist....	9	-1	-22,956
Housing Coordinator.....	7	-1	-17,111
Education Technician.....	4/6	-18	-269,536
Library Technician.....	7	-1	-19,319
Public Relations Technician.....	5	-1	-16,491
Student Rights Specialist.....	7	-1	-22,525
Recreation Specialist.....	7	-1	-17,663
Teller.....	5	-1	-13,815
Computer Operator.....	5	-1	-16,045
Audio Visual Prod. Specialist....	7	-2	-39,742
Positions Other Than Permanent...	Various	-15	-385,425
Subtotal .....		-93	-1,987,183
Lapse Percentage and Other Adjustments* (+71%)...		+43	+1,416,183
Other Personnel Compensation.....		--	-47,000
Total Personnel Comp. (FTE-T).....		-50	-618,000
Personnel Benefits.....			-61,000
Travel and transportation of persons.....			-50,000
Transportation of things.....			-30,000
Communications, utilities and other rent.....			-30,000
Other services.....			-151,000
Supplies and materials.....			-130,000
Equipment.....			-15,000
Grants, subsidies, and contributions.....			-1,042,000
Total.....			-\$2,127,000

\* Lapse amount includes allowances for partial salaries, severance pay, lump sum leave payments and other benefits available to employees separated from Federal employment.

Justification of Program and Performance

Activity: Economic Development and Employment Programs  
 Subactivity: Business Enterprise Development  
 Element: Economic Development Grant Program

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983		FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date	FY 1984				
Economic Development Grant Program	(\$)	5,000	5,000	5,000	10,000	+5,000	+5,000
Total Requirements	(\$)	5,000	5,000	5,000	10,000	+5,000	+5,000

Authorization: 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 25 U.S.C. 13 (The Snyder Act of November 2, 1921).

Objective: Provides conditional grants to Indian tribes for the purpose of: (1) initiating business development of tribal resources; (2) encouraging non-federal investment; (3) promoting sound business principles; and (4) reducing tribal dependence on the Federal Government.

Base Program (\$5,000,000): Most Indian reservations lack a private sector economy in that they do not have the industries, retail outlets, institutions (banks, savings and loans, vocational schools, etc.), or private sector employers as is common to non-Indian communities. This lack of private sector economy has contributed significantly to the high unemployment and low per capita income plaguing Indian reservations. Past economic development efforts to promote sound business development on reservations have had only limited success. Further, earlier Indian economic development was all but totally subsidized by Federal money with little or no involvement of the private sector. This was in part because tribes have difficulty in obtaining loans from private investment sources because of: (1) the unique trust status of tribal resources limiting their use as collateral, (2) the lack of capital equity, and (3) debts to the government have priority for repayment from tribal income. Notwithstanding these impediments Indian tribes and Alaskan Natives are becoming increasingly aware of their assets in land holdings, water, energy resources, minerals, forestry, oil, and natural gas. Grant funds will be used to attract non-Federal investments for economic development projects on or near reservations.

The Economic Development Grant Program begins in FY 1983 with a budget of \$5 million. The major purposes of these economic development grants are: (a) provide equity capital for the establishment or expansion of locally determined economic enterprises which generate income and employment opportunities for participating tribes; (b) serve as an inducement when combined with a tribe's financial and other resources to attract private sector investment capital for the development of a tribe's resources; and (c) reduce tribal dependence on the Federal Government over the long term through economic development projects which contribute to a stable private sector reservation economy.

Each grant is to provide no more than 25 percent of the projected capital of a given proposal, with the balance to come from the grantee and from non-Federal sources. Higher leveraged projects will be given preference. This arrangement will encourage those who are relatively certain that their enterprises are potentially profitable, to undertake projects under this program. Thus, there is a greater potential for sound economic development.

Specific economic development activities to be financially assisted through this program are selected from proposals initiated and developed by individual tribes. Furthermore, applications for economic development grants will be accepted only from the governing body of a tribe or a tribal organization which is unable to meet its total financing needs from its own resources and/or by loans or equity investment from private, non-Federal sources. Tribes participating in this program must have provided evidence of a stable tribal governmental structure ensuring continuity of the enterprise, through submission of a record of fiscal responsibility and a formal application.

Proposals submitted by the tribes for consideration by Agency Office Superintendents, Area Directors, and the Assistant Secretary - Indian Affairs will include the following information for evaluation:

A concise description of the tribal government organizational structure with emphasis on the political stability and financial responsibility of its operations in recent years. This description will include (a) the relationship between the tribal governing body and planned management of the enterprise, with emphasis on independence of the enterprise from the tribe's political processes; (b) a plan showing conformity of the proposed project to long range tribal goals; (c) a schedule for the start and projected completion dates for actions or efforts to implement and maintain operation of the proposed project, including a timetable for major purchase of equipment, building construction, production startup and projections concerning the project's break-even and profit-making point; (d) projected work force requirements for a period of three years that will identify management, labor force, training needs and other information pertaining to the fulfillment of labor force requirements; and (e) a business plan including an analysis of all factors affecting the feasibility of the proposed enterprise.

Evaluation and selection of tribal proposals at the Agency, Area, and Central Offices will be based upon the following priority criteria:

The potential for profitability and long range benefits to the tribe; anticipated return on the investment in terms of employment and income generated; managerial capability and fiscal accountability of proposed tribal enterprises; the degree of independence of economic enterprise management from the political structure of the tribe; and the relative proportion of tribal and private sector investment to requested grant funds.

Day-to-day oversight responsibility for approved grants shall rest with Agency Offices with guidance, support and assistance provided by Area Offices. Specific monitoring of the program will be accomplished by the Superintendent which will follow the monitoring and reporting requirements outlined in OMB Circular A-102.

Additionally, the Bureau Central Office staff shall have overall responsibility for the administration, monitoring, and evaluation of grants awarded. Control at this level will be specifically administered through the Division of Financial Assistance in the Office of Indian Services. Credit Officers at the Area and Agency levels will provide day-to-day monitoring and provide or fund needed technical assistance.

The role of Indian tribes in this program activity is to determine whether to seek development of their resources and the nature of the economic development that is suitable for their reservations; to provide the basic services of local government; and to foster an atmosphere of governmental stability that promotes confidence and attracts private sector capital.

Draft regulations for this program are completed and will be submitted to the Federal Register for publication during the second quarter of FY 1983. The program guidelines have been completed and distributed to personnel involved in the program. Full scale operation of the program will be underway during the second quarter of FY 1983.

This approach to the problems of unemployment and raising reservation economies has been undertaken as a key element of the Assistant Secretary's Economic Development Strategy incorporating the essentials for successful business, featuring profitability of enterprise, solid management, adequate financing, a business plan, and involvement of the private sector. Other alternatives to these problems have been applied unsuccessfully in previous years through programs of industrial development and economic assistance, which have resulted in the excessive dependency of many Indian tribes on the Federal Government. These alternatives would not as effectively stimulate economic development, as will this program which provides a more permanent means of economic improvement through inducement of the private sector. Furthermore, this approach is one which implements the concept of Self-Determination through its creation of a stronger, more stable economy which in turn is an aid to strengthening tribal government.

The Bureau will assess the potential success of each proposed enterprise by considering the attributes of the government, the reservation, the proposed management system, and the overall feasibility of the enterprise. Relevant data are to be collected and evaluated in order to analyze and improve the establishment and management of new or continuing enterprises. The Bureau will also provide technical assistance to grantees where necessary to help ensure success and to support the business and management acumen of Indian entrepreneurs. In addition, five percent of the requested funding will be used for assisting applicants in planning and evaluating the economic potential of proposed projects.

Examples of projects for which economic development funds could be awarded are: (a) energy resource mining ventures that would develop and utilize tribal natural resources; (b) the establishment of a tribally owned and/or operated shopping center; (c) assembly plants which would utilize high labor requirements; (d) fishery processing operations; and (e) timber processing enterprises that would develop tribally owned renewable resources.

Workload Data and estimated participation is: The fifty (50) grants awarded under this initiative will require no additional Bureau field staff; present Agency and Area personnel will administer and monitor individual projects in their respective areas. A Central Office committee to be appointed from

current staff, will have overall responsibility for the initiative.

	<u>Number</u>	<u>Estimated Avg. Cost</u>	<u>Estimated Total Cost</u>
Economic Development Grants	50	\$190,000	\$9,500,000
Planning and Evaluation	--	--	\$ 500,000

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Element</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
Economic Development Initiative	5,000	10,000	+5,000

The increase of \$5 million reflects a full year of operational funds as opposed to a partial year funding as was the case for the Economic Development grant program in FY 1983. It also reaffirms this Administration's commitment to support economic ventures on reservations as a means to reduce tribal dependence and strengthens tribal governments as indicated in the White House Indian Policy for Economic Development of January 24, 1983. The \$10 million in FY 1984 will be applied to an estimated 50 grants. The grant amounts will vary from a minimum of \$25,000 to a maximum of \$500,000.

Justification of Program and Performance

Activity: Economic Development and Employment Programs  
 Subactivity: Business Enterprise Development  
 Element: Credit and Financing

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983		FY 1984 Estimate	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date	FY 1984 Base				
Credit and Financing	(\$) (FTE-T)	4,981 (158)	4,953 (155)	4,668 (155)		-313 (-3)	-285 (--)
Total Requirements	(\$) (FTE-T)	4,981 (158)	4,953 (155)	4,668 (155)		-313 (-3)	-285 (--)

Distribution:

Tribe/Agency Operations	(\$)	3,198	3,539	3,295		+97	-244
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	54		+54	+54
Area Office Operations	(\$)	1,239	899	804		-435	-95
Central Office Staff Operations	(\$)	544	515	515		-29	--

Credit and Financing

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians.

Objective: To assist federally recognized Indian tribes and individual Indians, Indian organizations, and Alaska Natives with developing and utilizing their own resources to better their economic conditions through direct loans from the Revolving Fund for Loans and guaranteed loans from the Loan Guaranty Program under the Indian Financing Act of 1974; and to assist them in obtaining financing from private lending sources utilizing the economic development program grants; and from other government sources for the same purpose.

Base Program (\$4,953,000): Unemployment and a lack of local businesses have resulted in most Indian reservations being areas of poverty. Indian reservations have not enjoyed the same opportunities for economic development as the surrounding communities. Since Indian land is held in trust by the United States Government, Indian tribes and individual Indians cannot mortgage their trust land as security for loans. Also, because of the lack of state jurisdiction over most reservations and the problems encountered with tribal court systems, private lenders are discouraged from making loans on reservations. To help alleviate this situation, Congress enacted legislation to provide financial assistance.

The earliest legislation was enacted in 1934 with the passage of the Indian Reorganization Act. This provided for the organization of Indian tribes as tribal governments and provided them with a federally chartered business corporation. Various other legislative proposals have been passed with the latest being the Indian Financing Act of 1974. In addition, the programs under the Small Business Administration and Farmers Home Administration have been utilized by both Indian tribes and individuals to the extent possible.

The \$4,953,000 in the FY 1984 Base program for Credit and Financing supports the salaries, travel, and operational expenses of the Bureau employees who make, monitor, and collect the loans made under both Revolving Fund for Loans and Loan Guaranty and Insurance Program; and it covers the operating costs of the 15 agency credit programs contracted under P.L. 93-638. In addition, these contracted loan programs are monitored by contracting officer representatives who are part of the area credit offices. Beginning in FY 1983, the credit staff will also have the responsibility of administering the Economic Development Program.

Program operations involve assisting Indians on or near reservations in administering the Indian Revolving Fund for Loans (see a. and b. below); in obtaining loans from banks and other financial lending sources in the private sector (see c. below); working with other Federal funding sources on developing economic enterprises on Indian reservations (see d. below); processing loans under the Loan Guaranty and Insurance Program (see e. and f. below); and making grants under the Economic Development Program (see g. below).

Workload Data:

(Dollars in Millions)

	FY 1982		FY 1983		FY 1984	
	Estimate		Estimate		Estimate	
	No.	\$ Amount	No.	\$ Amount	No.	\$ Amount
a. BIA supervised direct loans - new <sup>1/</sup>	6,000	\$ 40.0	6,200	\$ 45.5	6,500	\$ 60.0
b. BIA supervised direct loans - outstanding (EOY) <sup>1/</sup>	12,500	190.0	13,500	225.0	13,750	250.0
c. BIA assisted Commercial loans - new	1,750	30.0	1,300	20.0	1,500	25.0
d. Assisted other Federal loans - new	500	27.0	475	25.0	450	23.0
e. Guaranteed and Insured loans - new	11	27.6	30	15.8	35	19.0
f. Guaranteed and Insured loans - outstanding	54	77.8	79	79.9	108	98.0
g. Economic Development Program Grants - new	--	--	25	5.0	50	9.5

<sup>1/</sup> Includes direct loans from the Revolving Fund for Loans and direct loans under relending programs financed from tribal trust funds.

In addition, assistance is provided in the administration of tribal relending programs having outstanding loans of approximately \$80 million; assistance is provided to Indian borrowers and former grantees in credit related matters; and of course, the monitoring and collecting of loans made under the Bureau's credit and financing program.

We estimate about 70 new loans totaling \$35.7 million will be made in FY 1983 and about 60 new loans totaling \$30.0 million in FY 1984 for business enterprises.

In FY 1984, the credit and financing workload is estimated to include assistance and administrative services for approximately 108 outstanding guaranteed loans with a face value to over \$98.0 million; assistance and services on outstanding loans totaling \$100 million made from the Indian Revolving Fund; and assistance in the administration of tribal relending programs. Assistance will also be provided to the 75 tribes receiving economic development grants.

The Bureau's Revolving Fund for Loans received total authorizations under various legislative acts before 1974 totaling \$29.7 million. However, total appropriations were only \$26.5, of which \$4.1 was used for administrative expenses, leaving a total of \$22.4 available for loans. Activity since inception is as follows:

(Dollar Amounts in Millions)	
Total Available Before 1974	\$22.4
Indian Financing Act of 1974	<u>41.0</u>
 Total Appropriations	 \$63.4
 Additions to Fund:	
Principal repayments	\$71.5
Interest payments	34.1
Livestock settlements	<u>2.7</u>
Total Additions	<u>108.3</u>
 Total Available for Loans	 171.7
 Total Loans Made 1934-1982	 <u>159.3</u>

The following illustrates the changes in credit and financing's workload and the number of personnel:

(Dollar Amounts in Millions)				
	<u>Prior to</u> <u>IFA 1974</u>	<u>1977</u>	<u>1982</u>	<u>1984 est.</u>
Full-time personnel	136	223	163*	155*
Tribal credit employees	55	49	53	53
Contracted programs	--	--	15	18
Outstanding loans:				
Revolving Loan Fund	\$28.0	\$56.0	\$84.0	\$101.0
Loan Guaranty Fund	--	\$44.0	\$78.0	\$98.0
Indian Business Development Program (IBDP) grants outstanding	--	\$25.0	\$23.0	\$21.0
Tribal relending	--	--	\$80.0	\$85.0
Economic Development Program grants	--	--	--	\$ 9.5

\* FTE, not positions

Additional information on the loan programs is included under the Loan Programs sections elsewhere in this justification book.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY</u> 1984 <u>Base</u>	<u>FY</u> 1984 <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
Credit and Financing	(\$) (FTE-T)	4,953 (155)	4,668 (155)	-285 (--)

Tribe/Agency Operations (-\$190,000 net): The tribal priority decrease of \$244,000 will be absorbed by a reduction in operating expenses at this level.

The FY 1984 request includes an increase of \$54,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Area Office Operations (-\$95,000): This decrease is due to a shift of Area program priorities and staff duties at some areas.

Justification of Program and Performance

Activity: Economic Development and Employment Programs  
 Subactivity: Business Enterprise Development  
 Element: Indian Arts and Crafts Board

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
Indian Arts and Crafts Board	(\$) (FTE-T)	873 (18)	898 (18)	875 (18)	+2 (--)	-23 (--)
Total Requirements	(\$) (FTE-T)	873 (18)	898 (18)	875 (18)	+2 (--)	-23 (--)
<u>Distribution:</u>						
Other	(\$)	873	898	875	+2	-23

Indian Arts and Crafts Board

Authorization: P.L. 74-355, which created the Indian Arts and Crafts Board and specifies its powers.

Objective: To promote the development of Native American arts and crafts--the creative work of Indian, Eskimo, and Aleut people--so as to improve the economic status of Native Americans and ensure the continuing vitality of a valuable American heritage.

Base Program (\$898,000): The Board is a unique arts agency whose activities are not duplicated either in the Federal or private sectors; it is the only Federal agency that is consistently and exclusively concerned about responding to the cultural needs of the Native people. The Board's policies are determined by its five Commissioners, who serve without compensation, and they employ a professional staff to carry out their responsibilities. For administrative convenience, funds for the Board expenses and staff are carried in the Bureau of Indian Affairs portion of the budget.

The Board provides business and personal professional advice, information, and promotion to Native American artists and craftsmen and their organizations and, as an integral part of its professional services, the Board operates a coordinated system of three regional museums, located in reservation areas. The museums are cultural focal points for residents of the area; are primary vehicles for the delivery of services; and function as staging points for regional and national promotion.

Annual sales of Native American arts and handcrafts total several hundred million dollars, but Native American interests currently control only a small portion of this market. To support and expand those interests, the Board will promote Native American arts and crafts largely:

- through over 200 Native-owned and operating craft marketing enterprises (an increase of 64% during the past six years);
- through a consumer directory that is an established marketing link between these Native craft enterprises and the more than 100,000 consumers annually who request it;
- through approximately 30 one-person sales exhibitions in the Board's museums;
- through several group sales exhibitions of outstanding contemporary Native art work presented in the Board's museums and at other institutions through cooperative arrangements;
- through concentrated management advice to some 100 developing Native museums (over 40% of which are less than six years old).

The Board concentrates its efforts on those activities that benefit Native American artists and craftsmen most directly; however, it will continue to assist the National Endowment for the Arts, the Institute of Museum Services, the U.S. Information Agency, other government agencies, and the general public as substantial ancillary beneficiaries of the Board's information and museum activities. The Board answers over 10,000 written and telephone inquiries annually from the public.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
Indian Arts and Crafts Board	898	875	-23
(\$) (FTE-T)	(18)	(18)	(--)

The decrease will slightly reduce the number of group sales exhibitions of contemporary Native art work presented in the Board's museums and at other institutions through cooperative arrangements.

Object Class Distribution - Business Enterprise Development Subactivity

Travel and transportation of persons.....	- \$ 65,000
Transportation of things.....	- 50,000
Communications, utilities, and other rent.....	- 50,000
Supplies and materials.....	- 78,000
Equipment.....	- 65,000
Grants, subsidies, and contributions.....	+ 5,000,000
	<hr/>
Total.....	<u>+ \$ 4,692,000</u>

Justification of Program and Performance

Activity: Economic Development and Employment Programs  
 Subactivity: Road Maintenance

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983		FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date	FY 1984 Base			
Road Maintenance	(\$) (FTE-T)	21,037 (370)	21,301 (370)	22,351 (370)	+1,314 (--)	+1,050 (--)
Total Requirements	(\$) (FTE-T)	21,037 (370)	21,301 (370)	22,351 (370)	+1,314 (--)	+1,050 (--)
Distribution:						
Tribe/Agency Operations	(\$)	20,512	21,139	22,169	+1,657	+1,030
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	20	+20	+20
Area Office Operations	(\$)	472	111	111	-361	--
Central Office Staff Operations	(\$)	53	51	51	-2	--

Road Maintenance

Authorization: 25 U.S.C. 318a, authorizes "material, equipment, supervision and engineering . . . in . . . maintenance of Indian reservation roads . . . ."

Objective: To repair and maintain 25,600 miles of public roads serving Indian reservations in order to promote safety and convenience for reservation residents with particular emphasis on school bus routes and arterial highways. To protect the government investment by preventing or repairing damage by rain and wind on 18,000 miles of roads on the Bureau system which were graded and surfaced under the Road Construction Program.

Base Program: Priorities and funding levels for road maintenance are set by tribal governments in consultation with Bureau administrators and engineers. Consideration is given to degree of use, public safety and convenience. On improved roads, an additional consideration is the preservation of the Government's investment in construction, since inadequate maintenance accelerates deterioration and increases road reconstruction costs. The replacement cost for approximately 18,000 miles of improved roads on the Bureau system is estimated to exceed \$2 billion.

Maintenance funding for each route may be Optimal, Limited (50% to 89% of optimal), Occasional (10% to 49%), or Little or None (0 to 9%). Optimal maintenance costs per mile per year are \$2,200 for earth roads, \$2,600 for graveled roads and \$3,000 for paved roads. Optimal maintenance is that maintenance which, when added to reconstruction cost, achieves the lowest total expenditure of public funds. Bureau road maintenance will be 52% of optimal based on funds requested in FY 1984.

With the Bureau's recommendation, many tribes in recent years have substantially improved priority given to road maintenance. We will continue to recommend further improvement in priority of this program.

In northern areas and high altitudes snow and ice control is first priority to protect life and property. This need cannot be forecast accurately, and a severe winter may require additional funds for road maintenance.

Agency staff consists of foremen, machine operators and laborers equipped with backhoes, graders, dozers, dump-trucks with snowplows and sand and gravel spreaders, asphalt haulers and heaters, and compaction equipment. These crews patch and seal asphalt, clean and repair culverts, remove roadside vegetation and debris, smooth earth and gravel roads and shoulders, repair and replace safety signs, and repair washouts and landslides.

The program is carried out almost entirely by Indian employees on reservation; 98% of the 370 Federal employees are Indian. The Federal payroll for road maintenance will amount to \$9,500,000 for FY 1984. The program also provides employment for 52 tribal employees on P.L. 93-638 contracts, which are estimated at \$980,000, 4% of the total road maintenance program.

Workload Data: The FY 1984 program will provide for the following activities at an average of 4% of optimal maintenance.

<u>Road by surface type</u>	<u>Unit of Measure</u>	<u>Actual 1982</u>	<u>Estimate 1983</u>	<u>Estimate 1984</u>
Unimproved	Miles	8,184	8,000	7,800
Average cost/mile	\$	200	200	200
Earth	Miles	9,972	10,200	10,500
Average cost/mile	\$	700	790	800
Gravel	Miles	2,956	2,900	2,800
Average cost/mile	\$	1,330	1,600	1,700
Paved	Miles	4,176	4,100	4,000
Average cost/mile	\$	1,300	1,800	2,000
Bridges	Lineal Feet	40,571	61,000	61,500
Average costs/LF	\$	6	7	7

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
Road Maintenance	(\$) (FTE-T)	21,301 (370)	22,351 (370)	+1,050 (--)

Tribe/Agency Operations (+\$1,050,000): \$807,000 of the increase will be used primarily for equipment and supplies to better maintain surfaced roads; asphalt patching material, gravel, asphalt heating equipment, gravel spreaders, etc. A substantial improvement (\$223,000) is also expected to be made in snow removal, with increased costs for snowplows, sand, sand spreaders, and salt. The FY 1984 request includes \$20,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Bureau policies are being adopted to improve the level of maintenance on paved and graveled roads, along with the major construction/reconstruction program funded from the Highway Trust fund, to support the Assistant Secretary's initiative on economic development on reservations by providing a safe and convenient road network serving job access, commerce and industrial development.

Object Class Distribution - Road Maintenance Subactivity

Other services..... + \$1,050,000

Justification of Program and Performance

Activity: Natural Resources Development  
 Subactivity: Forestry and Agriculture

(Dollar Amounts in Thousands)

<u>Program Elements</u>	1983		FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
	Approp. Enacted to date					
A. Natural Resources, General	(\$)	981	836	787	-194	-49
	(FTE-T)	(16)	(14)	(14)	(-2)	--
B. Agriculture	(\$)	22,529	22,762	23,262	+733	+500
	(FTE-T)	(452)	(452)	(452)	(--)	(--)
C. Forestry	(\$)	25,119	25,540	26,290	+1,171	+750
	(FTE-T)	(791)	(784)	(784)	(-7)	(--)
D. Water Resources	(\$)	6,978	6,962	6,722	-256	-240
	(FTE-T)	(8)	(8)	(8)	(--)	(--)
E. Wildlife and Parks	(\$)	12,953	13,854	15,754	+2,801	+1,900
	(FTE-T)	(20)	(41)	(41)	(+21)	(--)
F. Fire Suppression	(\$)	800	800	600	-200	-200
 Total Requirements	(\$)	69,360	70,754	73,415	+4,055	+2,661
	(FTE-T)	(1,287)	(1,299)	(1,299)	(+12)	(--)

Distribution:

Tribe/Agency Operations	(\$)	36,889	38,662	41,291	+4,402	+2,629
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	338	+338	+338
Area Office Operations	(\$)	3,795	2,716	2,703	-1,092	-13
Central Office Staff Operations	(\$)	2,126	1,913	1,911	-215	-2
Other Natural Resources Development Programs:	(\$)	26,550	27,463	27,172	+622	-291
Special Agriculture Programs	(\$)	(200)	(200)	(--)	(-200)	(-200)
Forest Development	(\$)	(5,000)	(5,000)	(5,000)	(--)	(--)

(Dollar Amounts in Thousands)

<u>Distribution (continued)</u>		1983		FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
		Approp. Enacted to date	FY 1984 Base			
Timber Sale Admin.	(\$)	(5,000)	(5,000)	(5,200)	(+200)	(+200)
Fire Suppression	(\$)	(800)	(800)	(600)	(-200)	(-200)
Water Policy Implementation	(\$)	(5,450)	(5,450)	(4,950)	(-500)	(-500)
Fishery/Hatchery Oper.	(\$)	(9,581)	(10,594)*	(10,860)*	(+1,279)	(+266)
Fish and Game Mgmt.	(\$)	(519)	(419)	(562)	(+43)	(+143)

\* Includes base transfer of \$913,000 from USFWS for four hatcheries, and \$100,000 from Fish and Game Management for Muckleshoot.

#### A. Natural Resources, General

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indian tribes.

Objectives: To provide managerial direction and support for those operations which span multi-resource disciplines in protecting, inventorying, developing and managing Indian natural resources on 52.3 million acres of Indian lands held in trust by the United States.

#### Base Program (\$836,000):

Tribe/Agency, Area Office (\$649,000): This program provides funding for multi-disciplinary activities not readily identified to one particular natural resource program, including Assistant Area Directors at some areas who may direct several natural resource programs; and others who are responsible for administering multi-disciplinary activities, including contracts with Indian tribes, sometimes covering various natural resource programs under a single contract. Accomplishments under tribal contracting include conservation studies and/or inventories in the various natural resource disciplines which include agriculture, soil and range, irrigation and power operations, fisheries, wildlife, parks, water needs and environmental quality concerns. During FY 1983, contracts with tribes to conduct the Natural Resource program totalled approximately \$600,000.

Central Office Operations (\$187,000): : The Base for this portion of the program is transferred to the Trust Services, General program in FY 1984. The rationale for the transfer is that staff operations for the Office of the Director of Trust Responsibilities are more appropriately funded under one program.

Workload Data: Results of actions supported by funding from Natural Resources, General are reported under the appropriate Sub-Activity, i.e., Agriculture, Forestry, Water Resources, Wildlife and Parks, etc. Workload includes assistance in establishing policy, regulations, and procedures; developing budget and financial planning; providing advice and counsel to tribes; and supporting, directing and overseeing administrative matters affecting Natural Resource Programs.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Natural Resources,				
General	(\$)	836	787	-49
	(FTE-T)	(14)	(14)	(--)
<u>Distribution:</u>				
Tribe/Agency Operations	(\$)	649	593	-56
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	7	+7
Area Office Operations	(\$)	187	187	--
Central Office Staff Operations	(\$)	-0-	-0-	--

Tribe/Agency Operations (-\$49,000 net): The tribal priority decrease (-\$56,000) is primarily due to the tribes moving funding from Natural Resources, General, to the Agriculture activity to be used for specific purposes in that program.

The FY 1984 request includes \$7,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

B. Agriculture

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indian tribes.

Objective: To protect and enhance the value of the Indian agronomic and range resources; to maximize income while maintaining and/or improving the Indian resources on 52 million acres, of which 42 million acres are rangelands.

Base Program (\$22,762,000): The Bureau of Indian Affairs provides technical assistance on 284 Indian Reservations to Indian landowners or operators of trust property through professional staffs located at 76 Agency offices.

The types of professional personnel are:

Job Titles

NATURAL RESOURCES OFFICER	RANGE TECHNICIAN
NATURAL RESOURCES SPECIALIST	SOIL TECHNICIAN (CONSERVATION)
RANGE CONSERVATIONIST	SURVEY TECHNICIAN
SOIL CONSERVATIONIST	TRUST SERVICES SPECIALIST
SOIL SCIENTIST	HYDRAULIC ENGINEER
AGRICULTURAL ENGINEER	HYDRAULIC TECHNICIAN
CIVIL ENGINEER	WILDLIFE BIOLOGIST
CIVIL ENGINEERING TECHNICIAN	PEST CONTROLLER
	PHYSICAL SCIENCE TECHNICIAN

The above staff provides a variety of assistance, a major portion of which is to assist in applying conservation measures to Indian lands. The Bureau leased 4.3 million acres for agricultural use in 1981, which resulted in \$41.5 million in rental incomes, and issued permits on about 35 million acres of rangeland. Agricultural conservation measures applied to these lands include constructing terraces, ponds, upland water wasteways, erosion control structures and management plans to protect the resource. They also include brush control, seeding, sodding, and drainage. Soil conservation activities are on-going on a routine basis on individual tracts of land and are not normally viewed as a major project development. The following table shows the estimated amounts of funds from various sources for these measures related to agricultural production.

	(\$ in millions)				
	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>Est. 1983</u>	<u>Est. 1984</u>
USDA*	1.5	1.6	1.6	1.6	1.6
BIA	4.2	4.3	4.4	4.4	4.4
Tribes	1.6	1.6	1.6	1.6	1.6
Landowners/Operators Contributions	9.12	9.93	9.9	9.9	9.9

\* USDA - These funds are in the form of Agriculture Soil Conservation Services cost-share payments to landowners and operators for the installation of approved conservation practices.

Examples of these measures include: concrete ditch lining and land leveling on irrigated fields for water conservation, strip cropping, terracing and winter cover crops for the control of wind and water erosion, farm pond development, surface and tile drainage to control salinity and water table and shelterbelts for wind protection.

In addition to agricultural conservation measures, the following sources also fund rangeland conservation measures such as water systems, fencing, brush control, and reseeding:

	(\$ in millions)				
	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
USDA	.34	.36	.37	.42	.42
BIA	2.21	2.13	2.19	2.52	2.52
Landowners/permittees	.85	1.07	1.10	1.26	1.26

Examples of some of these projects are: Prairie dog control on Pine Ridge; livestock water development, Navajo; "savory" range management; and reseeding and management fencing.

These conservation measures may be applied on over 42 million acres of rangeland. This land has a capacity to graze 6 million animal unit months. Approximately 85 percent of the rangeland is utilized by Indian operators.

To assist in developing these conservation measures, Bureau Soil and Range Conservationists will prepare over 7,000 management plans for farms and ranches. The cost to develop these plans is estimated at \$350,000 for FY 1983.

The farm management plans must be based on specific information about the resources. That information is collected by Bureau Soil Scientists, who conduct inventories of soil types and conditions. This work is also done under contract. During 1983, inventory work done by Bureau personnel will cost \$600,000. Approximately \$200,000 will be contracted, for a program total of \$800,000.

Soil inventories often identify special problems which must be addressed before land can be used for agriculture. Bureau Soil Scientists and Soil Conservationists conduct soil investigations on over 800,000 acres of Indian land each year. These are surveys to help resolve problems with drainage, fertility, salinity, and special conservation needs such as erosion control, length and slope for irrigated lands, and crop adaptability.

The range management plans must also be based on specific information. To do so, Bureau Range Conservationists classify Indian rangelands into range sites and conditions. They identify factors such as vegetative cover, soil characteristics, precipitation zones and elevation. This information is used to recommend stocking rates and season of use. Range inventories will cover 2.5 million acres in 1983. They will cost \$200,000 for Bureau work and about \$1,000,000 for contract work.

The Bureau also uses the results of the inventories and investigations to provide direct technical assistance to both farmers and ranchers. During FY 1983, the Bureau will assist 19,000 farmers and 11,500 ranchers.

Technical assistance for farmers includes: farm plans, erosion control structure designs, land leveling criteria, farm drainage design, fertility recommendations, farm pond specifications, pest control recommendations, and wind and water erosion control recommendations.

Technical assistance for ranchers includes: boundary surveys for fencing, water development engineering, livestock rotation recommendations, feeding requirements, pest management, brush control, re-seeding, and range management planning.

Besides providing assistance for farming and ranching on Indian lands, the Bureau also monitors its use. During 1983 the Bureau will prepare over 8,000 farm lease stipulations. Under these agreements the user agrees to perform specified conservation practices or otherwise use the resources in a manner which will either maintain or improve them. The cost of preparing these stipulations is estimated at \$250,000 for FY 1983.

To ensure compliance with these stipulations or other permits, Bureau personnel inspect farms directly to evaluate compliance with lease requirements, performance and use. There are about 20,000 such compliance actions each year. The cost will be approximately \$400,000 for FY 1983.

The Bureau also monitors the use of rangelands. Employees may modify grazing permits in order to improve rangelands. They may adjust stocking rates depending on changes in grazing conditions, area size, and changes in land ownership. About 1,650 such modifications will occur in 1983. The cost will be approximately \$400,000.

Bureau employees also conduct inspections of range units on site to determine if ranchers are complying with permit requirements. Over 5,000 such inspections will be done in 1983 at a cost of \$200,000.

Special Agriculture Programs will be conducted in FY 1983 at a cost of \$200,000. Such programs will include: providing tribes with funds for temporary (1 year) management assistance for farm enterprises, and providing funds to contract for farm feasibility studies.

Workload Data(Agriculture):

	<u>FY 80</u>	<u>FY 81</u>	<u>FY 82</u>	<u>Est. FY 83</u>	<u>Est. FY 84</u>
<u>Farmers Assisted (No.):</u>					
Technical services provided to users of Indian lands for needed conservation practices which will improve the Indian resource.	18,600	18,900	18,950	19,000	19,000

Ranchers Assisted (No.):

Technical services provided to ranchers to improve Indian rangelands. Technical services include proper stocking rates, location and design of water systems, location of range fences and reseeding.	11,150	11,176	11,180	11,500	11,800
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Soil Inventories (M Acres):

The classification of Indian lands into soil types and capabilities so that each acre will be utilized according to its potential.	1,600	1,402	1,500	2,000	2,000
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Ag. Cons. Measures (M\$):

Conservation measures designed to maintain or improve the Indian resource. Includes practices such as terraces, ponds, upland water wasteways, erosion control construction; and land use changes in the form of brush control, seeding, sodding and drainage. Funds for construction of these conservation measures are from USDA, BIA owners and/or operators.	16,220	16,729	17,500	18,000	18,500
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Workload Data(Agriculture)-Continued

	<u>FY 80</u>	<u>FY 81</u>	<u>FY 82</u>	<u>Est.</u> <u>FY 83</u>	<u>Est.</u> <u>FY 84</u>
<u>Rangeland Cons. Measures (M\$):</u>	3,400	3,558	3,650	4,200	4,500
Includes proper location and design of water systems, fencing, brush control and reseeding.					
<u>Farm and Ranch Management Plan (No.):</u>	6,680	6,970	6,900	7,100	7,300
A basic plan of operation which uses sound conservation practices fore wise use of the Indian resource. Range site and condition and soil inventories are vital for farm anagement planning.					
<u>Farm Lease Stipulations Prepared (No.):</u>	8,100	8,200	8,300	7,990	8,071
The formal agreement in which the user of the Indian resource agrees to perform the specified conservation practices stipulated or otherwise utilize the resources in a manner which will either maintain or improve the Indian resource.					
<u>Compliance Actions (No.):</u>	20,000	20,000	20,000	19,000	19,916
These inspections are for the purpose of performance evaluations and utilization checks to determine if the Indian resource user is in compliance with the lease stipulations or permits.					
<u>Soil Investigations (M Acres):</u>	800	870	94	700	718
These are soil surveys for special land uses. Soil problems associated with drainage, fertility, salinity and special conversation needs are examples of need for soil investigations.					
<u>Range Permit Modifications (No.):</u>	1,550	1,577	1,600	1,650	1,700
The modification of existing grazing permits that will result in an improvement to the Indian rangeland. Stocking rates may be adjusted due to changes in grazing fees, size of the grazing permit area, or weather factors.					
<u>Range Unit Compliance Inspections (No.):</u>	4,800	9,944	5,100	5,100	5,100
These actions are for the purpose of utilization checks to determine if the Indian resource user is in compliance with the permit requirements.					

Workload Data(Agriculture)-Continued

	<u>FY 80</u>	<u>FY 81</u>	<u>FY 82</u>	<u>Est.</u> <u>FY 83</u>	<u>Est.</u> <u>FY 84</u>
<u>Range Inventories</u> (M Acres):	2,100	2,273	2,473	2,500	2,700

The classification of Indian rangelands into range site and condition classes and recommended stocking rates. Important factors in this classification are vegetative cover, soil characteristics and precipitation zones.

Increase for FY 1984:

<u>Program Elements</u>	<u>(Dollar Amounts in Thousands)</u>			
	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>	
B. Agriculture	(\$)	22,762	23,262	+500
	(FTE-T)	(452)	(452)	(--)

Distribution:

Tribe/Agency Operations	(\$)	20,775	21,446	+671
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	29	+29
Area Office Operations	(\$)	1,489	1,489	--
Central Office Operations	(\$)	298	298	--
Special- Agriculture Programs	(\$)	200	-0-	-200

Tribe/Agency Operations (+\$700,000): The tribal priority increase of \$671,000 will be utilized for rangeland improvement measures which include management, fencing, livestock water development, reseeding, installment of conservation structures for soil erosion control, and for weed and pest control. The FY 1984 request also includes \$29,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Special Agricultural Programs (-\$200,000): The discontinuance of this program is offset by the proposed increase in Agriculture funding at the agency level. Tribes desiring special assistance in agricultural management activities will be encouraged to seek agency staff and funding assistance in conjunction with non-Bureau assistance from the State Agricultural Extension Service. The rationale for the discontinuance of this special program from the central office account is in accordance with current Bureau policy to move as much authority and responsibility for establishing program funding levels to local jurisdictions as is practicable.

C. Forestry and Fire Suppression

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized

Indians. The Federal Government has a trust responsibility to provide forest management under the principles of sustained yield and to protect Indian forest lands. This trust responsibility is stated in treaties with individual tribes, and in Federal legislation, particularly, 25 U.S.C. 406, and 407 (The Act of June 25, 1910); 25 U.S.C. 466 (The Indian Reorganization Act of June 18, 1934); and 18 U.S.C. 1853, 1855 and 1856. It has been reiterated and supported by numerous legal decisions from Federal courts, up to and including the Supreme Court.

Objective: The principal objective of the forestry program is to maximize forest productivity (increase board foot growth per acre per year) to sustained yield levels through state-of-the-art forest management practices to achieve the resulting benefit of returning to the Indian owners maximum income and employment from the utilization of their forest resources.

Base Program (\$25,540,000 for Forestry; \$800,000 for Fire Suppression): The forestry program addresses the need to provide forest management services on 13.3 million acres of Indian forest land. The most important of these services is the charge to sell the allowable annual cut from each reservation with a commercial forest land base. This is accomplished by employing the most modern and effective techniques for forest protection, by implementing modern inventory and management planning systems, by harvesting the full allowable annual cut with consideration of other use values and tribal objectives, and by intensifying forest development activities to eliminate backlog, maintain accruals and enhance forest productivity (growth).

Problems associated with the forestry program include: A deficiency in state-of-the-art forest management inventory and planning on some reservations from which the Indian owners can make multiple-use management decisions. Only 24 of 104 foreste' trust reservations or properties have current forest management or operating plans. The remaining 80 locations continue to operate with no plans or outdated plans. Also, certain reservations have problems enforcing wildfire trespass and timber trespass regulations against tribal members.

The Bureau cooperates with U.S. Forest Service and other Federal and State agencies in the protection of Indian lands and adjacent lands from insects and disease. The Forest Service, by law, is the lead agency for all major protective actions, and for securing necessary funding.

The Bureau's trust responsibility in forestry is extended to approximately 104 forested reservations and/or properties in 24 states with a commercial forest land base of approximately 5.8 million acres that support a total commercial volume of about 40.6 billion board feet and an allowable annual cut of 1.04 billion board feet. In addition to this, technical assistance services in all forestry aspects are provided Alaska Native Claims Settlement Act (ANCSA) allotted lands, which when fully conveyed will comprise a forest land base in Alaska of approximately 300,000 acres. The forestry program must work closely with several other Bureau programs. These include: Agriculture -- particularly range management; Fish and Wildlife; Environmental Services; Realty -- particularly appraisals, and obtaining ownership (title) information on allotments; Law Enforcement, for assistance in trespass investigations; and Water Resources, for water productivity and protection of groundwater levels.

Recent interest rates have caused a severe softening in the housing market, which in turn has reduced the demand for lumber and logs. This, plus the lack of sufficient in-place forest products industries in some areas, prevent the Bureau from selling the full allowable annual cut from some reservations.

The forestry program provides valuable income and employment to the Indian owners through the sale of stumpage and subsequent harvest and processing of Indian timber. These operations plus labor intensive forestry operations, such as forest development work, forest inventory and survey work, and forest protection, help to generate individual Indian employment and income. In addition to these direct income and employment benefits to individual tribal members, revenues generated from the Indian forest produce indirect economic and social benefits by providing funds for the operation of tribal governments.

Since 1933, the Secretary of the Interior has been authorized, in his discretion, to reimburse the United States for certain of its expenses associated with the sale of Indian timber by deducting from the proceeds of those sales what has come to be known as "administrative fees," and by then covering those fees as miscellaneous receipts into the Treasury. In order to improve forest management on Indian land, the Secretary has exercised his discretionary authority to collect administrative fees (deductions), since 1972, by refraining from doing so to the extent that a tribe or individual Indian expended their own funds on a particular forest. Table 1 (see end of the Forestry program narrative) shows annual production figures, program obligations, and the amount and distribution of administrative deductions for the period 1972-1981. Projections for 1982 and 1983 are included. Table 2 portrays the number of jobs and income generated from the combined effects of direct, indirect and induced employment for 1980, one third of which is Indian, while Table 3 reflects tribal forestry employment, by Area, resulting from administrative deductions. Finally, Table 4 shows the estimated increase in forest productivity by Area that is likely to be realized by the year 2020. It is expressed in terms of a percent increase in growth and consequently in allowable annual cut. Table 5 (see end of Forestry program narrative) portrays the full cost of the forestry program by activity for Fiscal Years 1982, 1983 and 1984, including a breakdown of timber sales administrative deductions that are available to tribes for investment in the management of their forest resources.

Achievement of the objective stated above is accomplished through performance of the following activities (The dollar amounts shown are the FY 1984 base.):

Forest Inventory and Plans (\$3,212,500): Encompasses aerial photography, mapping, field forest management inventories, re-inventories, growth studies, allowable annual cut calculations, and all aspects of the development, preparation and/or revision of multiple-use forest management plans, including inventory analysis, environmental assessment and forest history.

Forest Development (\$8,169,000): Includes all activities of forestation and timber stand improvement that directly enhance commercial timber production on Indian lands. Forestation involves project planning, seed collection or procurement, growing or procuring seedlings, site preparation, planting or seeding, followup surveys, release cuttings and record-keeping. Timber stand improvement includes project planning, inventory (stand examination, etc.), treatment priorities and prescriptions, precommercial thinning, slash treatment, fertilization and recordkeeping. All forest development projects are justified through conduct of benefit/cost analyses.

Beginning with FY 1977, the Congress provided an add-on appropriation of \$5,000,000 to implement a continuing program to eliminate backlogs of forest development work (primarily forestation and thinning), which had accumulated over past years. Substantial progress has been made in the elimination of these backlogs, as depicted in Figure A (see end of Forestry program narrative). At the present level of funding, it is anticipated that backlogs will be totally eliminated by the mid-1990's.

Forest Protection (\$4,048,600): Includes all activities engaged in protecting the forest from fire, insects, disease and trespass. With respect to fire management, protection consists of acquisition and maintenance of fire fighting equipment, fire detection systems, construction of fire breaks, hazard reduction and fire protection contracts with other agencies. Control of insects and disease encompasses all aspects of detection and evaluation; preparation of project proposals to secure funding, including project description, environmental assessments/statements, and benefit cost analysis; field suppression operations; and reports. Timber and fire trespass involves field examination and survey, damage appraisal, preparation of reports, assisting in investigations, writing demand letters and giving depositions.

Timber Sales Administration (\$9,110,900): Comprises all activities concerned with the administration and supervision of timber sales, including all aspects of sale and contract preparation (cruising, silvicultural prescriptions, appraisal, advertisement, etc.), executing and supervising contracts, marking and scaling timber, and collecting, recording and distributing stumpage receipts.

Forest Products Permits (\$972,700): Includes cruising, product marking, stumpage appraisal, permit preparation and harvest supervision for a total number of permits exceeding 10,000 annually. Included in this number are approximately 2,000 paid permits. The remainder are of the free use type, which permit the cutting of firewood, house logs, posts and poles, etc., by tribal members for their personal use.

Tribal Enterprises (\$26,300): Consists principally of consultation and technical assistance upon request to tribal forest enterprises in all aspects of timber management and the primary/secondary processing of forest wood products, including stumpage appraisals, sale negotiation, contract supervision, disputes and appeals, economic analysis of potential enterprises, etc.

Fire Suppression, Emergency Rehabilitation, Emergency Prevention (\$800,000): A token appropriation is provided each year for the suppression of wildfires, and the emergency rehabilitation of lands burned over by wildfires where natural rehabilitation cannot or will not occur soon enough to prevent detrimental impacts to the land base, and for emergency prevention activities, all of which are addressed in the Normal Fire Year Planning process. Additional funds needed to cover actual costs are requested by the supplemental appropriation process.

Activities at the Tribe/Agency (\$22,840,000) level primarily consist of timber sale preparation, timber sale administration, conduct of inventories, preparation of forest management plans, forestation, timber stand improvement, forest protection, and fire suppression.

Area Office (\$2,270,000) forestry staffs review and recommend approval of timber sales, forest inventories, multiple use forest management plans and fire management plans. They approve forest development projects and release funds to agencies based on that approval. The Area forestry staff reviews trespass investigations and recommends settlement actions. (Authority to settle timber and fire trespasses up to \$25,000 is held by the Area Director.) They also review Normal Fire Year Plans and provide agency forestry staffs with technical assistance on all forestry operations.

The Central Office (\$1,230,000) forestry staff provides the Assistant Secretary - Indian Affairs, his staff, and all BIA staff with forestry expertise and staff advice on forestry matters that come to his office. They establish reporting systems, maintain liaison and coordination with various federal agencies, provide information and technical assistance to Area and Agency staffs, and

propose policies, regulations, and procedures for Bureau-wide operation of the forestry program. Forest fire management, including both presuppression and suppression, is handled through a small staff at the Boise Interagency Fire Center. Forest management inventory and planning technical assistance is provided field installations through a small staff located at Lakewood, Colorado.

Workload Data: There is inter-relationship between all forestry program activities that cannot be precisely delineated. Workload factors can generally be categorized as follows:

	Estimate FY 1982	Estimate FY 1983	Estimate FY 1984
Allowable annual cut (MBM)	1,040,000	1,040,000	1,040,000
Reforestation completed (acres)	18,000	19,000	19,000
Timber stand improvement completed (acres)	52,000	53,000	53,000
Volume of timber harvested (MBM)	525,000	700,000	750,000
Value of timber harvested	\$40,000,000	\$70,000,000	\$80,000,000
Timber sales volume offered (MBM)	800,000	900,000	900,000
Timber sales contracts supervised (No.)	340	345	350
Forest products permits issued (No.)	10,100	10,100	10,100
Forest and range area protected (acres)	59,195,500	59,314,800	59,314,800
Number of fires suppressed (calendar year figures) (No.)	2,500	2,500	2,500
Acres burned - forest	18,500	--	--
- non-forest	31,500	--	--
Total	50,000	50,000	50,000
Employment generated (direct indirect and induced) (MY)	8,325	11,100	11,900
Employment generated \$income	\$130,000,000	\$173,000,000	\$186,000,000
Timber cruises for appraisal purposes (No.)	310	315	315
Forest management inventories completed/updated (No.)	6	6	6

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
C. Forestry	(\$) (FTE-T)	25,540 (784)	26,290 (784)	+750 (--)
F. Fire Suppression	(\$)	800	600	-200
Total Requirements	(\$) (FTE-T)	26,340 (784)	26,890 (784)	+550 (--)

Distribution:

Tribe/Agency Operations	(\$)	13,829	14,328	+499
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	66	+66
Area Office Operations	(\$)	1,040	1,027	-13
Central Office Staff Operations	(\$)	671	669	-2
Forest Development	(\$)	5,000	5,000	---
Timber Sale Admin.	(\$)	5,000	5,200	+200
Fire Suppression	(\$)	800	600	-200

Tribe/Agency (+\$565,000): Of the total tribal priority increase of \$499,000, \$300,000 will provide more adequate timber sale administration capabilities, particularly in the areas of environmental controls and archeological clearances, harvest supervision, and the timber sales accounting and recordkeeping system. In the forest development activity, \$99,000 will be utilized to help reduce existing forest development backlogs by some 690 acres (90 acres of forestation and 600 acres of thinning) and will contribute toward realizing the FY 1984 programmed backlog reduction of 72,000 acres. The remaining \$100,000 will be used in forest inventory and plans to contract for aerial photography, resource mapping, forest histories and environmental assessments for management plans.

The FY 1984 request also includes \$66,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Following is a breakdown of increases by program activity:

<u>Program Activity</u>	<u>Increase (\$000)</u>
TIMBER SALES ADMINISTRATION	+ 300
Sale Preparation	(+ 100.0)
Harvest Administration	(+ 200.0)
FOREST DEVELOPMENT	+ 99
Forestation	(+ 59.8)
Thinning	(+ 39.2)
FOREST INVENTORY AND PLANS	+ 100
Inventory	(+ 100.0)
Plans	( -- )
P.L. 93-638 Pay Cost	<u>+ 66</u>
TOTAL	+ 565

Area Office Operations (-\$13,000): This reduction reflects the movement of certain Area Office technical assistance activities to the Tribe/Agency level and will result in Area Offices having a slightly diminished capability of providing field installations assistance in the development of technical contract specification packages for forestry projects.

Central Office Staff Operations (-\$2,000): This is a very minor adjustment in staff support costs and should not have any significant impact on the services available from Central Office staff.

Timber Sale Administration (+\$200,000): There has been every indication that the housing market, and therefore the lumber market, is finally rebounding and should be reaching a point equal to that of Fiscal Years 1978 and 1979 during Fiscal Year 1984. The total amount of this increase will be used to monitor an increase in the administration of ongoing timber sale contracts.

Fire Suppression (-\$200,000): This reduction in funding of the token fire suppression appropriation will have very little effect on the short term fire fighting capabilities of the Bureau, as a majority of these funds are normally provided by a supplemental appropriation. The request for supplemental funds for FY 1983 for Fire Suppression is \$14 million compared to the \$7 million in supplemental funds appropriated for FY 1982. The supplemental for FY 1984 will be requested as part of the FY 1985 President's Budget.

Table 1

Timber Production, Appropriations and Administrative Deductions  
(Cash Sales of Timber)

Fiscal Year	Timber Vol. (MBM)	Harvest Value (\$000)	Appropriations Obligated (\$000)			Administrative Deductions (\$000)		
			Federal	Tribe	Total	Federal	Tribe	Total
1972	927,188	37,952,965	5,388,485	848,491	6,236,976	2,708,094	760,241	3,468,335
1973	976,282	57,042,935	5,943,969	3,947,082	9,891,051	932,851	4,032,321	4,965,172
1974	878,126	73,223,357	6,898,928	5,229,874	12,128,802	901,975	5,342,208	6,244,183
1975	806,542	49,867,809	7,276,736	3,835,561	11,112,297	741,633	3,356,294	4,097,927
1976	887,547	75,085,609	9,171,686	4,683,659	13,855,345	1,141,367	4,552,513	5,693,880
1977	908,161	88,901,863	12,772,800	5,241,952	18,014,752	1,098,614	4,564,899	5,663,513
1978	910,587	104,591,751	19,986,648	5,829,561	25,816,209	1,041,825	6,542,339	7,584,164 <sup>1/</sup>
1979	818,547	117,171,295	20,962,611	6,609,033	27,571,644	789,038	6,836,143	7,625,181 <sup>1/</sup>
1980	731,859	88,529,796	21,137,074	10,017,271	31,154,345	15,385	9,755,259	9,770,644 <sup>1/</sup>
1981	676,560	72,610,790	23,671,835	7,922,698	31,594,533	22,571	7,598,763	7,621,334 <sup>1/</sup>
Totals	8,521,399	764,978,170	133,210,772	54,165,182	187,375,954	9,393,353	53,340,980	62,734,333

Projections

1982	400,000	40,000,000	25,552,000	3,590,000	29,142,000	10,000	3,590,000	3,600,000
1983	700,000	70,000,000	27,037,000	6,230,000	33,267,000	70,000	6,230,000	6,300,000

<sup>1/</sup> Forest management deductions from Hoopa Reservation totaling \$880,445 excluded because these funds were reinvested in the forestry program under auspices of the "Gerard Plan."

Source: Annual Analysis of Obligations Report

Table 2

ESTIMATED NUMBER OF JOBS AND INCOME 1/ GENERATED PER MILLION

## BOARD FEET OF INDIAN TIMBER HARVEST (1980)

State/Region	Per Million Bd. Ft.		Volume Harvested <u>1/</u>	Total	
	Jobs	Income (\$000)	(Millions of Bd. Ft.)	Jobs	Income (\$000)
Washington	17.6	261,000	341	6,002	89,001,000
Oregon	15.3	214,600	104	1,591	22,318,400
California	14	210,000	45	630	9,450,000
Montana	15.6	338,470	28	436	9,477,160
Southwest	13.6	262,700	117	1,591	30,735,900
Lake States <u>2/</u>	14	210,000	66	924	13,860,000
Other <u>2/ 3/</u>	14	210,000	<u>31</u>	<u>434</u>	<u>6,510,000</u>
Total			732	11,608	181,352,460

1/ Cash sales only, does not include free-use cutting. FY 1980 is a representative level of production.

2/ Data not available. After discussions with USFS, used multipliers obtained from other regions.

3/ This includes the residual 4% of all other timber harvest not classified by region. Figures used same as footnote 2.

Source: Table 3 and annual timber cutting reports.

Table 3

FY 1982  
Tribal Forestry Employment Resulting  
from Forest Management Deductions

	<u>Professional Foresters</u>	<u>Technicians &amp; Others</u>
Albuquerque	--	15
Billings	--	28
Eastern	--	--
Juneau	--	--
Minneapolis	--	3
Navajo	6	11
Phoenix	--	10
Portland	8	119
Sacramento	<u>--</u>	<u>25</u>
Total	14	211

Source: Area Offices

Table 4

## Estimated Increase in Forest Productivity Attributed to

Forest Management Deductions 1/

<u>Area</u>	<u>FY 1982 AAC (MBM)</u>	<u>Present Percent Increase in AAC From Forest Management Deductions 2/</u>	<u>Estimated Future AAC (MBM) 3/</u>
Aberdeen	7,000	2	7,140
Albuquerque	31,400	12	35,168
Anadarko	Unknown	0	0
Billings	83,200	12	93,184
Eastern	23,600	10	25,960
Juneau	1,300	8	1,404
Minneapolis	157,000	12	175,840
Muskogee	1,500	2	1,530
Navajo	43,500	12	48,720
Phoenix	115,600	12	129,472
Portland	541,900	20	650,280
Sacramento	28,400	12	31,808
Totals/Avg.	<u>1,034,400</u>	16	<u>1,200,506</u>

- 1/ This represents the increase in allowable annual cut (AAC) that can be attributed to investment in intensive forest management activities (thinning and reforestation) with forest management deduction monies. It is assumed that tribes will permit strict control of forest grazing in reforestation areas, and support thinning practices in overstocked stands to move towards optimum growth potential.
- 2/ Percent increase will vary from Area to Area for a variety of reasons, most notably because of site quality, growing season and dollars available for cultural work from forest management deductions.
- 3/ This is the AAC that is estimated to be realizable by the year 2020, or the date at which it is estimated Indian forests will have been subjected to the first cycle of forest development activities. During that time, growth, and consequently AAC, will progressively increase as thinning and reforestation activities take place.

Table 5

## COST BREAKDOWN FOR MAJOR FORESTRY PROGRAM ACTIVITIES

Program Activity	FY 1982		FY 1983		FY 1984	
	Federal Appropriation (\$M)	Administrative Deductions <u>1/</u> (\$M)	Federal Appropriation (\$M)	Administrative Deductions <u>1/</u> (\$M)	Budget Estimate (\$M)	Administrative Deductions <u>1/</u> (\$M)
<b>FOREST INVENTORY AND PLANS</b>						
Inventory	1,801.1	50.4	2,160.2	220.5	2,313.5	100.8
Plans	771.9	21.6	929.4	94.5	999.0	43.2
Subtotal	<u>2,573.0</u>	<u>72.0</u>	<u>3,089.6</u>	<u>315.0</u>	<u>3,312.5</u>	<u>144.0</u>
<b>FOREST DEVELOPMENT</b>						
Forestation	2,911.9	1,209.6	4,621.9	1,814.4	4,837.4	2,419.2
Thinning	3,934.9	1,310.4	3,340.8	1,965.6	3,496.6	2,620.8
Subtotal	<u>6,846.8</u>	<u>2,520.0</u>	<u>7,962.7</u>	<u>3,780.0</u>	<u>8,334.0</u>	<u>5,040.0</u>
<b>FOREST PROTECTION</b>						
Fire	2,281.0	432.0	2,637.5	756.0	2,629.0	864.0
Insects and Disease	526.0	108.0	602.9	189.0	604.6	216.0
Trespass	703.6	--	803.8	--	815.0	--
Subtotal	<u>3,510.6</u>	<u>540.0</u>	<u>4,044.2</u>	<u>945.0</u>	<u>4,048.6</u>	<u>1,080.0</u>
<b>TIMBER SALES ADMINISTRATION</b>						
Sale Preparation	2,000.6	81.0	2,260.7	236.2	2,392.4	180.0
Harvest Admin.	6,001.8	279.0	6,757.0	708.8	7,203.5	540.0
Subtotal	<u>8,002.4</u>	<u>360.0</u>	<u>9,017.7</u>	<u>945.0</u>	<u>9,595.9</u>	<u>720.0</u>
FOREST PRODUCTS PERMITS	850.4	108.0	979.7	315.0	972.7	216.0
TRIBAL ENTERPRISES	21.8	--	25.1	--	26.3	--
FIRE SUPPRESSION <u>2/</u>	768.0	--	800.0	--	600.0	--
Totals	<u>22,573.0</u>	<u>3,600.0</u>	<u>25,919.0</u>	<u>6,300.0</u>	<u>26,890.0</u>	<u>7,200.0</u>

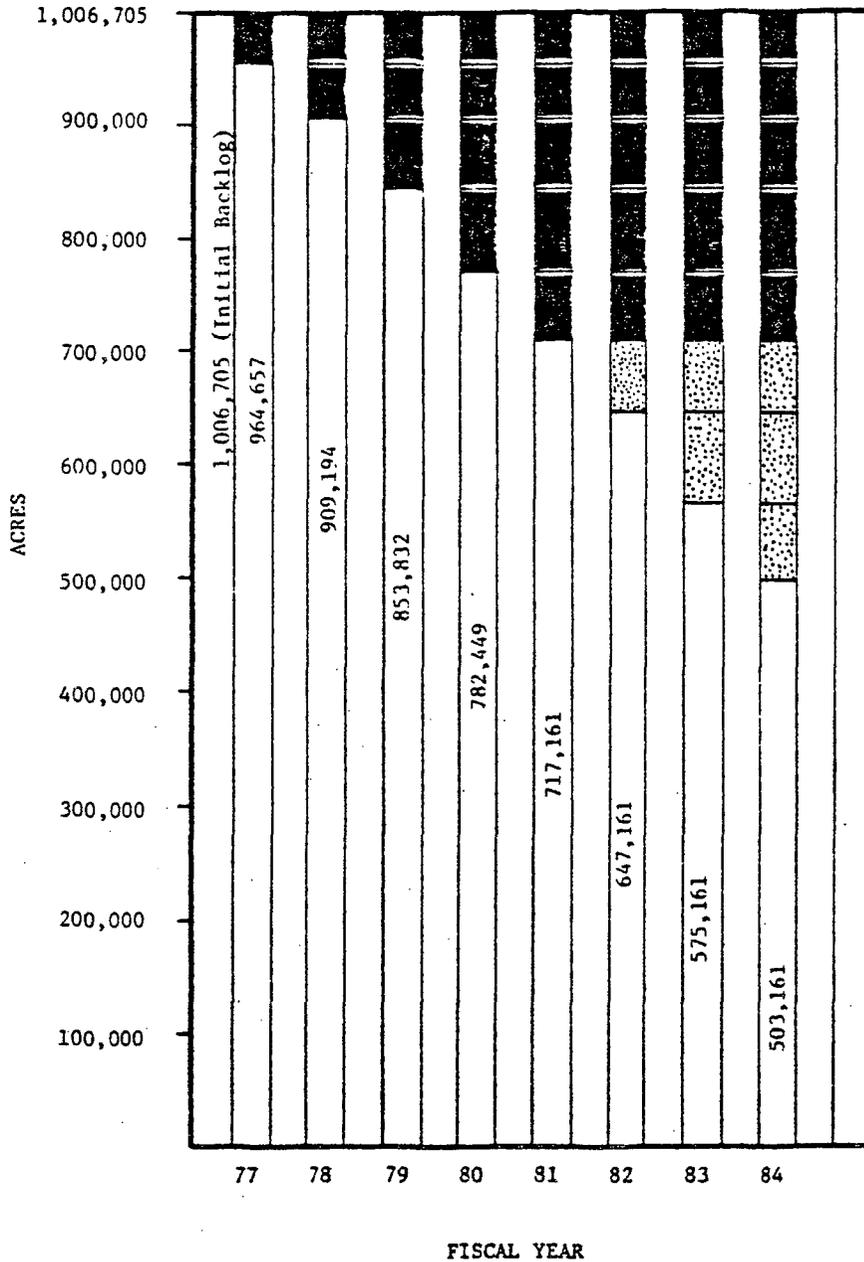
1/ Estimated. These funds will actually be available to be utilized by tribes if the projected levels of timber harvest and income are achieved, and the funds are expended within the time limitations set forth by Bureau policy.

2/ Token appropriation. Additional funds needed to cover actual costs are requested through the supplemental appropriation process. The supplemental request for FY 1983 is \$14,000,000 based on prior year actual obligations.

Figure A

Forest Development

Backlog Reduction



Accomplishments

FY	Acres
77	42,048
78	55,463
79	55,362
80	71,383
81	65,288
82	70,000 Est
83	72,000 Est
84	72,000 Est

#### D. Water Resources

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally-recognized Indians.

Objectives: The objectives of the Water Resources program are (1) to conduct technical studies on Indian reservations for the purposes of assisting tribes in obtaining favorable negotiated water rights settlements and providing comprehensive guides for the orderly development of water resources and (2) to assist Indians in conserving, developing and using their water resources with particular reference to water resource problems and uses of a special nature.

Base Program (\$6,962,000):

1. Water Planning/Water Claims Resolution: A plan to review Indian water claims was initiated in 1978 in response to the perceived need to find a more efficient way to address the explosive growth in conflicts involving Indian Water Claims. The development of the plan was completed in 1979. Implementation of the plan entails the accomplishment of a comprehensive inventory of the resources of each reservation that needs water for their future development and the production of a comprehensive reconnaissance level plan of development. The following four steps are being carried out according to fixed criteria on each reservation:

- a. An examination of the historical perspectives affecting the water rights of the reservation.
- b. Identification and inventory of available resources.
- c. Identification and inventory of existing water uses.
- d. Identification of future water needs and development potentials.

Each reservation review will entail the collection and development of data sufficient to enable the tribe to make an informed assessment of its present and future water requirements. These studies will also provide tribal leaders with meaningful guidelines for future development alternatives. A reservation water claim package - a plan fitting tribal resources, needs, and desires - will be the end product incorporating all data collected and developed. The completed product can be used for negotiations, as technical preparation for litigation where negotiation fails, and as a basis for more detailed planning studies.

This program has a relationship to the Rights Protection Program, although there is no overlap between the two programs. The Water Resources Program provides the technical studies which form the basis for negotiated settlements of water rights and for the development of water resources. However, when negotiation is not successful and litigation occurs, the Rights Protection Program provides funding to prepare the existing technical data in the proper form for litigation efforts; to conduct detailed, intensive studies on specific areas of concern; and to pay for expert testimony.

The successful implementation of the Water Resources Program is dependent in large measure on the competency of the professional staff to produce and enforce technical standards and guidelines, to review contractor competency, to produce adequate contractual documents, to monitor contractor performance, to assure adequate consultation with tribes, and to review and approve final products.

2. Range Water Development: This program also includes the Range Water Development function, which provides assistance in identifying, conserving and developing range water resources. The types of work provided by this program include range water developments such as wells, storage tanks, pipelines, ponds and deep-pit charcos. A major part of this program is the approximate \$600,000 included for the Navajo Tribal Waterworks program, which is a vital part of their range conservation/management effort.

<u>Workload Data:</u>	<u>Actual FY 1982</u>	<u>Estimated FY 1983</u>	<u>Estimated FY 1984</u>
<u>Water Planning Implementation</u>			
Soils studies (# of reservations)	20	18	15
Hydrology studies (# of reservations)	21	23	17
Range studies (# of reservations)	2	2	5
Fishery studies (# of reservations)	2	1	1
Development plans (# of reservations)	5	6	4
Historical Investigations (# of reservations)	8	6	4
Minerals studies (# of reservations)	6	6	4
Recreation studies (# of reservations)	6	6	5
<u>Range/water Development</u>			
Assistance in Range water developments (# of reservations)	10	8	8

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
D. Water Resources	(\$) (FTE-T)	6,962 (8)	6,722 (8)	-240 (--)

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
<u>Distribution:</u>			
Tribe/Agency Operations (\$)	1,014	1,265	+251
P.L. 93-638 Pay Cost (Tribe/Agency) (\$)	--	9	+9
Area Office Operations (\$)	-0-	-0-	--
Central Office Staff Operations (\$)	498	498	--
Water Policy Implementation(\$)	5,450	4,950	-500

Tribe/Agency Operations (+\$260,000): The tribal priority increase of \$251,000 will be utilized to cover increased cost of assistance in planning, developing and conserving range water resources. These funds are contracted to the Navajo Tribe and the Pueblos. Costs of well drilling, pipe and other construction items have escalated requiring the increased funding. The FY 1984 request also includes \$9,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Water Policy Implementation (-\$500,000): The decrease will reduce by about 10% the FY 1984 studies to be conducted by contract for preparation of tribal water claim packages for use in negotiations and as source data for future water resource development. This decrease resulted because negotiations have temporarily slowed while tribes await the outcome of appeals to the Supreme Court on jurisdiction by the States of Arizona and Montana. In both test cases (San Carlos Apache v. Arizona and Northern Cheyenne v. Adsit, et al) the issue on appeal from decisions of the Ninth Circuit Court of Appeals is whether the proper forum for litigating Indian water rights is the Federal or State court system. Some studies in support of negotiation will be postponed or extended pending the ruling. If the Ninth Circuit decision favorable to Federal jurisdiction is sustained, some tribes are likely to elect to then litigate in anticipation of more favorable treatment.

#### E. Wildlife and Parks

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objectives: To promote the maximum conservation, development, and utilization of the fish and wildlife resources on over 52,000,000 acres of Indian trust lands across the Nation. To provide assistance, technical support, and necessary resources to develop and initiate fish and wildlife management plans.

To develop programs to provide tribal members with a better understanding and appreciation of their fish and wildlife resources. To encourage full tribal capability in fish and wildlife management. To support court decisions in Indian tribal treaty rights. To cooperate in the planning and management of these resources with other tribes, organizations, and agencies.

Base Program (\$13,854,000): The program provides the means whereby tribes can develop and maintain fish and wildlife resource management operations by assuring tribes financial support to improve technical capabilities, responsibly enforce their regulations, and ultimately manage their respective fish and wildlife resources. The program currently provides support to 20 tribal fish hatcheries that produce and release 40 million salmon and trout annually. This directly supplements the total fishery resource and benefits both Indian and non-Indian commercial and sport fisheries. Recreational put and take fish stocking programs are also maintained on several reservations. Through this program, tribal fish and wildlife program goals, objectives, and strategies are developed, refined, and evaluated. Consequently, tribes are increasing interests, concerns, and initiatives by exerting greater involvement in multi-resource and multi-agency management. Substantial amounts of ecological and biological data essential for proper fish and wildlife conservation measures are collected. Through cooperative undertakings with state, Federal, and private natural resources agencies, sound fish and wildlife resource data are annually compiled, evaluated, and recommendations developed. The program, through greater direct tribal involvement and establishment of biological data, provides a vital function whereby more effective long-range, multi-resources planning can be accomplished.

The program currently has two fish biologists and three wildlife biologists in the field to provide direct assistance and coordination and to implement and fulfill Bureau program goals and responsibility for assistance to Indian tribes. Program efforts involve the assurance of providing equal consideration under multi-resources planning, and biological support and input where projects involve mitigation, enhancement, or preservation.

Coordination between the Bureau, tribes, and other agencies is improving. Common resource management philosophies and goals are being developed and will eventually promote better multi-agency communication. This communication is being established at all levels. Coordinated efforts involve exchange of technical information and expertise, training, integration of existing programs, and shared funding.

Tribe/Agency Operations(\$2,395,000): Through this program, inventories are established for fish, wildlife and recreation. Compiled inventory data are utilized to assess the potentials for the development of fish, wildlife and recreation resources and ultimately management plans are written. The USFWS has scheduled the elimination of their fisheries technical assistance program in FY 1983. This program will enable the tribes with programs to expand and refine their programs by increasing and improving their technical capabilities in order to assume greater responsibility for managing overall tribal resources. Training, enforcement of tribal game and fish ordinances, collection of biological data, conservation, and other management related activities are included.

Central Office Staff Operations (\$446,000): Professional staff in the Central Office are crucial as they will be responsible for establishing Bureau policy and program direction, regulations, and procedures for administration of Bureau-wide operations. The central office also provides in-depth expertise and advice to the Bureau at a national level and to the Bureau's top administrators, and performs liaison with other agencies at the national level.

Field Operations (\$11,013,000): The field operations programs includes (I) Fishery Operations, (II) Fish and Wildlife Management, and (III) Former U.S. Fish and Wildlife Service Hatcheries as follows:

I. Fishery Operations (\$9,681,000):

- A. Wildhorse Reservoir (\$20,000): Existing government-owned facilities at Wildhorse Reservoir need maintenance to prevent deterioration and to protect the public's health. Trash collection, sewage disposal, and health hazard elimination will be provided in areas of heavy public use.
- B. Western Washington Fish Management (\$5,500,000): Contracts are executed with 21 treaty fishing tribes of Western Washington to fulfill their obligations and responsibilities, as decreed by the Federal court (Boldt Decision), in the management of treaty salmon, steelhead, and herring fisheries, coordinated (state/intertribal) enhancement projects, and protection of the salmonoid resources originating in waters on and near their reservations. These funds are used for fisheries management, law enforcement, and aid to tribal government. Funds under the three categories are designated exclusively for purposes of fisheries management and enforcement, communication and dissemination of related information, and identification of treaty Indian fishers. The tribes affected by the court case directly conduct management and enhancement activities on 45 stream systems in Puget Sound and on the Washington coast, benefiting both treaty and nontreaty fishers. The tribes regulate the fishing activities of some 1,500 treaty fishers in fresh and marine waters within their usual and accustomed fishing areas.
- C. Columbia River Fishing (\$665,000): A contract has been executed with the following tribes that have treaty rights on the Columbia River: Yakima in Washington; Umatilla and Warm Springs in Oregon; and Nez Perce in Idaho. The contract funds activities will fulfill their responsibilities and obligations in the management and enforcement of tribal fisheries, and in the overall protection, development, and management of the Columbia River fisheries while working cooperatively with the three States and the Department of the Interior. For purposes of representation and efficiency in administration of policy and technical management responsibilities, the four tribes have formed the Columbia River Inter-Tribal Fisheries Commission. The BIA contracts with this entity to carry out these activities for the four tribes. The Commission is pursuing an active policy and technical role in the management of the Columbia River System. Substantial co-management of the fisheries resource is required by Federal Court order and Federal law through a multi-state, inter-tribal and Federal agency network. At present the maintenance of all aspects of Tribal fishery programs provides the tribes and the states with the capability to manage and regulate Indian and non-Indian fisheries within the state and provides for fish passage to subsequent marine and spawning areas.

D. Hatchery O&M and Resource Management (\$2,686,000): Provides for continued operation of fish hatcheries in the following areas:

Pyramid Lake	\$ 900,000
Tamgas Creek	200,000
Tulalip	300,000
Quinalt	110,000
Point-No-Point	190,000
Lummi Aquaculture	375,000
Nisqually	100,000
Summit Lake	85,000
Puget Sound	226,000
Suquamish	100,000
*Muckleshoot	100,000
	<u>\$2,686,000</u>

\* Base Transfer from Fish and Wildlife Management

E. Red Cliff & Bad River Reservations, Wisconsin (\$100,000): Enables the tribes to pursue biological research and continue to carry out cooperative fishery management efforts with the State of Wisconsin. The tribes have been developing a cooperative relationship with the State and other agencies, to protect the fishery resources and provide for their development and enhancement.

F. Fish Disease Control, Northwest Fisheries (\$30,000): Continues cooperative efforts with the U.S. Fish and Wildlife Service and expand the fish disease control program in the Northwest. During the process of artificial propagation, there is an inherent loss of production due to natural causes and biological pathogens. In an effort to increase the harvestable catch, it is necessary to control disease-causing agents, thereby requiring the expertise of fish pathologists. The U.S. Fish and Wildlife Service through reimbursement by the Bureau of Indian Affairs is performing the essential fish disease diagnosis and control program to assist tribal facilities.

G. Klamath River Fisheries (\$281,000): Enables the Hoopa Tribe and the Bureau to protect and manage the anadromous fishery in the Klamath River. Because of the depressed fish stock in recent years, serious concerns have been raised by the Indian and non-Indian fishers; therefore, intensive cooperative management effort by the tribe, State and Federal agencies, and private groups is necessary in order to bring fish stock to suitable levels.

H. Fishery Technical Assistance and Fish Stocking (\$399,000): Promotes technical assistance to Indian tribes and maintains fish program operations. Fishery technical assistance is necessary in order to adequately conserve, protect, and develop fish resources on Indian lands. Programs will be delivered by Bureau biologists and administered through contracts.

II. Fish and Wildlife Management (\$419,000): Continues technical assistance services to Indian wildlife and fishery programs. Most Indian wildlife and fishery programs are in need of continued technical support until they can develop their own management capabilities. The Indian tribes and the Bureau

depended on the USFWS for these services; however, under their current de-emphasis of Indian assistance, indicated by significant budget and personnel cutbacks of FWS assistance offices, FWS technical assistance will no longer be available to some Indian tribes while others will receive assistance at a reduced level, unless these services are reimbursed by the tribe or the Bureau, or replaced with tribal and/or Bureau biologists.

III. Former U.S. Fish and Wildlife Service Hatcheries (\$913,000): The 1984 Bureau request for this program includes funding for the continued operation of four hatcheries currently operated by the U.S. Fish and Wildlife Service. These hatcheries which serve Indian reservations, are being transferred to the Bureau in the FY 1984 Base. They are:

Warm Springs National Fish Hatchery	\$292,000	Warm Springs, OR
Quinault National Fish Hatchery	207,000	Aberdeen, WA
Makah National Fish Hatchery	262,000	Port Angeles, WA
Alchesay National Fish Hatchery	152,000	White River, AZ

The continued operation of the Warm Springs, Quinault, and Makah Fish Hatcheries is essential to the overall enhancement of the salmonoid fishery in the Pacific Northwest under U.S. v. Washington and U.S. v. Oregon. Production by these hatcheries directly supplements enhancement efforts of State management agencies. The operation of the Alchesay Fish Hatchery is crucial for the continued support of recreational fishery programs in Arizona and New Mexico. Significant economic benefits are derived through these programs.

Workload Data: Activities included and accomplishments reflected are as follows:

	Estimate 1982	Estimate 1983	Estimate 1984
<u>Fishery &amp; Hatchery Operations</u>			
Salmonoids released into Puget Sound and Washington coastal waters (MM).....	30.2	31.2	35.0
Salmonoids introduced into waters surrounding Annette Island (MM).....	2.0	2.0	2.5
Threatened & Endangered Species protected and enhanced (Pyramid Lake) (No.).....	2	2	2
Salmonoid Fry released into Pyramid Lake (MM).	1	2	3.7
 <u>Western Washington Fisheries Management</u>			
Tribal identification programs maintained.....	22	22	22
Inter-tribal organizations involved in joint-management studies.....	6	2	2
 <u>Columbia River</u>			
Tribal regulations issued and enforced.....	4	4	4
Salmon run predictions shared w/state.....	7	7	7
Research projects directed.....	3	3	5
 <u>Klamath River</u>			
Regulations issued and enforced.....	2	3	3
Research projects undertaken.....	2	3	5
 <u>Fish and Wildlife Management</u>			
Agreements negotiated.....	3	15	20
Management programs established.....	5	15	20
Management programs maintained.....	35	50	70

Hatchery Outputs - (Formerly USF & W)

<u>Hatchery</u>	<u>Species</u>	<u>Production</u>		<u>Total</u>		
		<u>Number</u>	<u>Pounds</u>	<u>Number</u>	<u>Pounds</u>	
Alchesay, AZ <u>1/</u>	Rainbow Trout	719,573	136,196	966,273	150,010	
	Brown Trout	36,000	2,216			
	Brook Trout	63,500	4,473			
	Cutthroat Trout	147,200	7,125			
Quinault, WA <u>1/</u>	Fall Chinook Salmon		15,211			
	Chum Salmon		2,713			
	Coho Salmon		89,877			107,801
	Steelhead Trout		38,653			38,653
Warm Springs, OR <u>1/</u>	Spring Chinook Salmon		13,003		13,003	
	Steelhead Trout		1,062			1,062
	Rainbow Trout		10,910			10,910
Makah, WA <u>2/</u>	Coho Salmon	149,091	4,803	1,269,541	2,201	
	Chum Salmon	290,990	497			
	Fall Chinook	829,460	1,391			

1/ (1981)

2/ (1982)

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
E. Wildlife and Parks (\$)	13,854	15,754	+1,900
(FTE-T)	(41)	(41)	(--)

Distribution:

Tribe/Agency Operations (\$)	2,395	3,659	+1,264
P.L. 93-638 Pay Cost (Tribe/Agency) (\$)	--	227	+227
Area Office Operations (\$)	--	--	--
Central Office Staff Operations (\$)	446	446	--
Fishery/Hatchery Oper. (\$)	10,594	10,860	+266
Fish & Game Management (\$)	419	562	+143

Tribe/Agency Operations (+\$1,491,000): This tribal priority increase reflects the elimination of free fisheries technical assistance from the Fish and Wildlife Service resulting in the necessity of tribes and agencies to begin increasing their own in-house capabilities or reimbursing the FWS for its services. This increase will allow more tribes to participate in developing fisheries and wildlife programs. The FY 1984 request includes \$227,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Fishery/Hatchery Operations (+\$266,000): This request represents funding to mitigate the impact of the FWS elimination of assistance and distribution costs for fish stocking on Indian lands. Tribes will be assisted in maintaining their fishery programs by sharing costs for delivery of fish and in making stocking recommendations.

Fish and Wildlife Management (+\$143,000): There has been a steady increase in the number of tribes that are concerned and interested in developing tribal fish and wildlife resources. This request will fulfill the highest priority requests from tribes for funds for fish and wildlife management. Approximately 10 additional tribes will be assisted.

Object Class Distribution - Forestry and Agriculture Subactivity

Other Services..... + \$2,661,000

Justification of Program and Performance

Activity: Natural Resources Development  
 Subactivity: Minerals and Mining/Irrigation and Power

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983	FY	FY	Inc. (+)	Inc. (+)
		Approp. Enacted to date	1984 Base	1984 Estimate	Dec. (-) From 1983	Dec. (-) From Base
A. Minerals and Mining	(\$)	8,233	8,234	6,872	-1,361	-1,362
	(FTE-T)	(33)	(33)	(33)	(--)	(--)
B. Irrigation and Power	(\$)	6,748	6,757	9,009	+2,261	+2,252
	(FTE-T)	(10)	(10)	(10)	(--)	(--)
<b>Total Requirements</b>	(\$)	14,981	14,991	15,881	+900	+890
	(FTE-T)	(43)	(43)	(43)	(--)	(--)

Distribution:

Tribe/Agency Operations	(\$)	952	1,286	1,674	+722	+388
Area Office Operations	(\$)	315	--	--	-315	--
Central Office Staff Operations	(\$)	716	698	698	-18	--
Energy/Mineral Res.	(\$)	6,250	6,250	4,500	-1,750	-1,750
Irrigation O & M	(\$)	6,748	6,757	9,009	+2,261	+2,252

A. Minerals and Mining

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians.

Objective: To provide technical, economic, and land-use data and advice to Indian landowners, and to Bureau and Department personnel who are assisting Indian owners seeking to manage and develop their mineral resources.

Base Program (\$8,234,000): The Bureau of Indian Affairs is responsible for protecting the interests of Indian land owners in the development of the mineral resources on Indian lands, because the title to those lands is held in trust or restricted status by the United States. At the same time, the Bureau supports the Administration's policy of self-determination for Indian tribes. The Bureau thus helps the tribes attain the maximum benefits which can be derived from developing their resources; however, the decision to develop or not is left to the tribes.

Over 50 million acres of land are held in trust for Indians. As of September 30, 1982, tribes or individual Indians had 5,160,286 acres under mineral leases with a total income to Indians of over \$289 million. Oil, gas and minerals are extracted through about 16,173 leases and permits. Most of the revenue is from oil and gas leases. The following table displays by Bureau Area Offices, the leases, acreage and income for FY 1981 (latest data available) and comparable income for FY 1980.

Area	No. Leases FY 1981	Acreage FY 1981	Income	
			(\$) FY 1980	(\$) FY 1981
Aberdeen	339	62,714	1,841,598	372,025
Albuquerque	583	1,013,533	24,731,324	30,507,204
Anadarko	4,092	317,495	14,777,506	67,057,307
Billings	2,498	1,291,718	32,563,718	38,785,996
Eastern	11	23,040	--	28,800
Juneau	--	--	532	--
Minneapolis	1	69	5,930	3,587
Muskogee	5,626	1,100,069	65,332,315	78,925,394
Navajo	1,307	935,290	36,379,439	50,328,170
Phoenix	1,303	403,736	17,141,292	18,620,546
Portland	78	11,914	4,002,962	4,524,705
Sacramento	1	703	150,330	137,005
Totals	15,839	5,160,281	\$196,926,946	\$289,290,739

The benefits of Indian mineral development include not only revenues from oil, gas and mining operations, but also employment and associated economic development on reservations. These benefits result not only from Indians participating directly in production activity as employees but also from providing goods and services to project operations. Many mining operations provide employment opportunities for all available workers on a reservation.

Income and other benefits are expected to increase as further development occurs. On the Uintah and Ouray Reservation there are oil shale reserves which will contribute to national energy requirements when needed. New operations now in preparation will produce coal, uranium, copper and molybdenum within the next five years. For example: The Shell Oil Corporation is scheduled, pending final approval, to begin operations on a coal mining lease located on the Crow Reservation in southeastern Montana; Mobil Oil Corporation is now operating an experimental pilot plant for a planned in-situ (in place) uranium leaching project on the Navajo Reservation in New Mexico; on the Colville Reservation in Washington is located one of the largest molybdenum-copper deposits in the United States. Efforts are presently underway to find a company capable of handling such a large operation.

This mineral development will mean financial independence for some tribes and individual members. For others it will provide a substantial contribution to their economic needs.

In order to oversee these extensive ventures the Bureau has personnel located in Washington, D.C. and Lakewood, Colorado, and other staff located in Area and Agency offices. These employees are Geologists, Geophysicists, and Petroleum and Mining Engineers and Realty Specialists. They organize minerals information and coordinate with tribes, the Minerals Management Service, and industry. They also perform economic analyses of leases and other types of development agreements and prepare and hold competitive bid lease sales.

About 8 tribes are expected to contract with the Bureau to provide assistance in doing this work. The contracts will be for field operation inspections, audits, and lease compliance inspections. The total contracting is expected to be approximately \$100,000 during FY 1983.

Some of the functions of the Washington Liaison Office are: approval of Nationwide Oil and Gas Lease Bonds; controlled correspondence replies and acknowledgments; appeals; review and recommendation for signature on appeal decisions prepared for the Bureau by the Minerals Management Service, draft and review of Federal Register publications; providing Bureau response to Department requests on Outer Continental Shelf sales, Secretarial issue documents, and Bureau of Land Management coal program issues; review of proposed legislation; statements; meeting with tribal delegations, the public and other Federal agencies; preparing the budget; and providing advice and assistance to top Bureau management.

Some of the functions of the Lakewood, Colorado office are as follows: providing staff assistance and advice to the Director, Office of Trust Responsibilities, regarding coordination of Bureau-wide Indian energy and mineral resource policies, standards, goals and objectives; proposing, developing, and coordinating all Bureau programs involving Indian energy and mineral resource management; preparation of regulations and development of procedures for application by Area and Agency offices in activities pertaining to the conservation, development and leasing of mineral resources on Indian lands; advice to Bureau management on mineral related technical issues; review of mineral accounting procedures; supervision of the Bureau mineral assessment program; monitoring of contracts and production programs in oil and gas; economic analyses, and other activities related to coal, oil, gas, uranium, copper, molybdenum, tungsten, and other mineral resources. It is also responsible for direct assistance to Area and Agency offices in the negotiation of agreements and monitoring compliance with the terms of mineral agreements, as well as liaison with the Bureau of Mines, the Geological Survey, the Minerals Management Service, the Bureau of Land Management, and the Office of Surface Mining officials located in Denver.

For many years, personnel in Bureau Area and Agency Realty offices have assumed many administrative tasks associated with mineral development as a part of their duties. Although most of these people have little or no formal training in mineral development, they have performed extremely well. However, it is recognized that some form of training for these people is urgently needed. A major role of the Central Office Division of Energy and Minerals is to take the lead in providing training sessions for these Realty and other Agency personnel.

Once operations commence for mineral development on Indian land, the Department's Minerals Management Service begins to supervise the extracting activities. If a serious problem of noncompliance occurs, only the Bureau, as the surface management agency, can take contract cancellation actions, if necessary, usually as a result of recommendations from the Minerals Management Service.

The major portion of the base program is the Energy/Mineral Resource Assessment program which is funded at a level of \$6,250,000 for FY 1983. Those funds are broken down as follows:

	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984 Estimate</u>
Mineral Assessment Program:			
U.S. Geological Survey	\$3,250,000	\$3,306,400	\$2,565,900
Bureau of Mines	1,540,720	1,464,000	1,184,100
Council of Energy Resource Tribes (CERT)	750,000	750,000	250,000
<u>1/ Other Special Projects</u>	<u>524,280</u>	<u>729,600</u>	<u>500,000</u>
	<u>1/ \$6,065,000</u>	<u>\$6,250,000</u>	<u>\$4,500,000</u>

1/ Breakdown of FY 1982:

Gas production monitoring system in Anadarko Office	\$198,500
Navajo Area Office (Operations costs)	87,500
Wind River Reservation Royalty theft-investigations contract for allottees	50,000
Ute Mountain Ute data gathering contract (Portion of energy development project)	150,000
CERT Exhibit at World's Fair	<u>38,000</u>
	\$524,000

It is anticipated that uses similar to FY 1982 will be supported with these funds. Also, part of the "Other" funds are normally used to obtain added work, or special projects work from U.S.G.S., Mines, or other contractors, once the actual appropriation amount is known.

The Mineral Assessment Program began in FY 1975. It consists primarily of work done under interagency agreements with the Bureau of Mines and the Geological Survey, with additional amounts of contract funding diverted to individual tribes for special projects. The general structure of the program under the interagency agreements includes three phases described as follows:

Phase I Reports -- These reports will all be completed in FY 1982 for 272 reservations covering 39 million acres of Indian land. They are prepared by doing library research on each reservation. Known written material is gathered on minerals, oil and gas, and other commodities on the reservation. This information is then put in narrative form, along with the geography, the known geology in and around the reservation and a bibliography. Estimates of mineral reserves are hypothetical and speculative. Based on these findings, the U.S.G.S. and Bureau of Mines make tentative recommendations on whether or not to pursue development with further research. The Phase I Reports have cost \$3,380,582 to produce at an average of \$.05 per acre. Generally they took about 9 months to prepare; however, some took as long as 12 months and cost about \$150,000 each.

Phase II Reports -- Once it has been determined that further study should be done, the tribe, through the Bureau, requests the Bureau of Mines or the U.S. Geological Survey to conduct Phase II studies. The U.S.G.S. is more oriented towards the regional scope of study, while the Bureau of Mines is highly proficient in, and more adapted to, site specific studies. U.S.G.S. earth scientists prepare geological maps, conduct aerial gravity surveys and do other mineral assessment work, such as geophysical, geochemical, and geological. To test the potential for mineral discoveries based on this work, a geologist may drill and take core samples. The cores are then analyzed to determine the amount of mineral reserves. These reports usually do not determine whether the deposits are economically mineable.

As of October 1, 1982, 18 Phase II studies were completed covering 18 reservations, and 18 studies are underway. These studies take about 36 months to complete at an average cost of \$525,000. However, costs have ranged from \$25,000 to \$4,000,000. Through FY 1982, \$18,000,000 has been spent on Phase II studies, and for FY 1983, \$3,600,000 is scheduled to be spent on Phase II studies.

Phase III Reports -- These reports are prepared by the Bureau of Mines. Physical Scientists define ore grades, tonnage, or reserve size along with the economics of removal of the resource. The estimates of reserves are then considered proven and mineable. The final reports are delivered to Agency Superintendents or Area Office officials who then present the reports to the tribes for their decisions on whether or not to develop the resource. If their decisions are positive, the Bureau further assists the tribes in mine plans, oil lease sales, or in negotiating. One limited Phase III investigation has been completed as of October 1, 1982, at a cost of \$202,000, and nine others are underway. The \$202,000 is not representative. Phase III studies would normally cost much more. We have no complete study costs to cite at this time, however \$2,380,000 has been spent on Phase III studies through FY 1982.

As a result of these studies, it is believed that enough detail will be available in certain areas so that individual tribes will be adequately aware of what materials occur on their lands and the associated problems and benefits of development.

One of the primary reasons for choosing the U.S.G.S and the Bureau of Mines to take the lead in performing this mineral assessment work is that these organizations are composed of highly trained geologists and engineers (many with doctoral degrees) whose work is of professional quality. Our ability to coordinate and assist the U.S.G.S. and the Bureau of Mines in all phases of mineral resource development has been greatly enhanced with the establishment of the Energy and Mineral Resources Office in Lakewood, Colorado.

For FY 1983 and FY 1984, available funding would be distributed as follows:

	<u>FY 1983</u>	<u>FY 1984</u>
Bureau of Mines	\$1,464,000	\$1,150,000
U.S. Geological Survey	<u>3,306,400</u>	<u>2,600,000</u>
Total	\$4,770,400 *	\$3,750,000 **

\* Provides for 23 Phase II and Phase III work studies for tribes at an average of \$207,408 each.

\*\* Provides for 17 Phase II and Phase III work studies for 16 tribes at an average of \$220,000 each.

Plans for FY 1983 include the following reservations:

		<u>Reservation</u>	<u>Amount</u>	
Phase II	In Progress:	Crow	\$55,600	
		Jicarilla	165,400	
		Zuni	59,800	
		Mescalero	157,500	
		Navajo (coal)	159,600	
		Colville	471,500	
		Great Lakes	386,200	
		Duck Valley	44,950	
		San Carlos	653,500	
		Walker River	167,672	
	Wind River	33,564		
	New Projects:	Cherokee, NC	547,100	
		Choctaw, MI	146,200	
		Hualapai, AZ	504,000	
	Phase III	New Projects:	Papago	166,705
			Pyramid Lake	46,218
Spokane			154,052	
Fort Berthold			138,000	
Pine Ridge			110,000	
Wind River			310,731	
Flathead			92,062	
Rocky Boys			44,950	
Duck Valley			155,096	
		<u>\$4,770,400</u>		

The following Mineral Assessment Projects are proposed to be undertaken in FY 1984:

		<u>Reservation</u>	<u>Amount</u>
Phase II	In Progress	Mescalero	157 500
		Ft. Hall	166 975
		Annette Island	200,000
		Choctaw, Miss.	146,200
		Cherokee, N.C.	350,000
		Great Lakes	386,200
		Hualapai	504,000
		Colville	471,600
		Wind River	33,564
		Walker River	167,672
		San Carlos	315,450
Phase III	In Progress:	Fort Berthold	138,000
		Pine Ridge	110,000
		Wind River (coal)	310,731
		Flathead	92,062
		Rocky Boys	44,950
		Duck Valley	155,096
		<u>\$3,750,000</u>	

Also funded from this activity is the Council of Energy Resource Tribes (CERT). This Council is composed of 37 tribes. The goals of CERT are: to assist member Tribes to use their energy resources as a foundation to develop stable economies; to assist the tribes to protect their natural and social environment; and to assist each tribe to develop its own capability to manage its own energy resources. For FY 1983, funding from the Bureau will be \$750,000. Through an interagency agreement, the Bureau transfers money to the Department of Energy, which acts in behalf of the Government as contract agent for all Federal funding for CERT projects.

The final determination for FY 1983 and FY 1984 projects has not been made at this time; however, the following list indicates the type of projects undertaken by CERT:

1. Northern Ute - oil and gas evaluation
2. Southern Ute - oil and gas monitoring
3. Ft. Belknap - oil and gas development project
4. Seminole - uraniferous phosphate project
5. Laguna - reclamation
6. Cheyenne/Arapaho - financial analysis
7. Muckleshoot - resource assessment
8. Laguna - uranium marketing/Phase I
9. Laguna - oil and gas development seminar
10. Southern Ute - evaluation of hydrosite
11. Hualapai - uranium development
12. Hualapai - environmental assessment
13. Navajo - energy workshop
14. Cherokee - oil and gas proposal

Workload Data:

Table 1 following this narrative displays the funding of the various phases of the Mineral Assessment Program. The results of the assessment studies are shown on Table 2 (also following).

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
A. Minerals and Mining	(\$)	8,234	6,872	-1,362
	(FTE-T)	(33)	(33)	(--)

Distribution:

Tribe/Agency Operations	(\$)	1,286	1,674	+388
Area Office Operations	(\$)	--	--	--
Central Office Staff Operations	(\$)	698	698	(--)
Energy/Mineral Res.	(\$)	6,250	4,500	-1,750

Tribe/Agency Operations (+\$388,000): The tribal priority increase of \$338,000 will provide an incentive for increased P.L. 93-638 contracting. It will be used by tribes for individual mineral resource related endeavors, such as training in oil and gas production site inspections and contracts for engineering consultant advice relative to economic decisions to be made by tribal government representatives.

Energy/Mineral Resources (-\$1,750,000): This includes a decrease of \$1,020,400 in inventories and investigations. The Bureau has recently reviewed the results of the mineral inventories and investigations conducted under this program. These studies have not yet resulted in major upgrading in tribal and reservation mineral/economic development. Factors involved in the lack of additional mineral development on the reservations include: slumping market prices for mineable (non oil and gas) resources, and tribal concerns about the possible disruptive effects that this type of development may have on their land and social environment. We propose to re-examine the Mineral Assessment Program process presently used for inventories and investigations to determine what adjustments may be made, and how to ensure that the program provides tribes the information necessary for them to decide whether or not to initiate mineral development, or to expand present operations. We will examine alternative means in our planning efforts, such as private sector financing to develop this data for the tribes. During this re-examination we will not start any new investigations.

The CERT Program will be reduced from \$750,000 to \$250,000 for FY 1984.

This diminishment in CERT funding is consistent with a planned schedule initiated by CERT in early 1980 which projected that CERT will become self-supporting. The remaining reduction of the Mineral Assessment Program is \$229,600 from funds used for special projects in FY 1983. These special projects, in the past, have included contracts for mineral resource related issues, such as the previously mentioned pilot natural gas monitoring system and the contract to investigate possible Wind River Reservation oil theft, in behalf of the allottees.

TABLE 1  
MINERAL ASSESSMENT PROGRAM FUNDING

	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>
TOTAL BOM PHASE I	242,670	93,085	93,366	180,000	112,500	345,000	500,000	122,340	--
TOTAL BOM PHASE II		180,000	280,000	490,000	585,000	648,000	501,500	323,180	246,186
TOTAL BOM PHASE III				425,000	250,000	64,000	545,000	1,095,200	1,217,814
TOTAL	242,670	273,085	373,366	1,095,000	947,500	1,057,000	1,546,500	1,540,720	1,464,000
TOTAL USGS PHASE I	242,670	93,085	93,366	180,000	112,500	345,000	500,000	125,000	--
TOTAL USGS PHASE II		200,000	280,000	1,616,235	3,196,000	3,845,000	2,800,000	3,125,000	3,306,400
TOTAL	242,670	293,085	373,336	1,796,235	3,308,500	4,190,000	3,300,000	3,250,000	3,306,400
TOTAL BOM PROJECTS	242,670	273,085	373,366	1,095,000	947,500	1,057,000	1,546,500	1,540,720	1,464,000
TOTAL USGS PROJECTS	242,670	293,085	373,366	1,796,235	3,308,500	4,190,000	3,300,000	3,250,000	3,306,400
GRAND TOTAL	<u>485,340</u>	<u>566,170</u>	<u>746,732</u>	<u>2,891,235</u>	<u>4,256,000</u>	<u>5,247,000</u>	<u>4,846,500</u>	<u>4,790,720</u>	<u>4,770,400</u>

TABLE 2  
RESULTS OF BIA MINERAL ASSESSMENT PROGRAM  
(Statistical Analysis - as of October 1, 1982)

<u>Commodity</u>	<u>Expenditure</u>	<u>Number of Programs Completed</u>	<u>Number of Proven Resources</u>	<u>Number of Proven Reserves (tons)</u>	<u>Potential Income</u>	<u>*PI Per Dollar Expended</u>
Coal	3,418,417	11	11	20.5 billion	\$20,500.0 million	\$5,994.00
Lignite	1,172,571	2	2	1,045 million	1,727.0 million	893.00
Zeolites	787,847	2	1	137 million	4,120.0 million	5,229.00
Uranium	349,722	4	2	9.54 million	16.3 million	46.00
Bentonite	662,892	3	3	2.44 million	4.8 million	7.00
Copper	500,100	2	2	1.25 bil.(lbs)	98.8 million	198.00
Gold	391,900	4	2	44,400 oz.	1.6 million	4.00
Titanium Magnetite	202,400	1	1	13.5 mil.(lbs)	10.3 million	51.00
Silver	356,700	3	2	276,400 oz.	0.2 million	.64
Tungsten	88,850	1	1	3.4 million(lbs)	0.8 million	53.00
Phosphate	27,704	1	1	32.3 million	2,296.0 million	3,487,000
Bituminous Sandstone	27,704	1	1	3.1 million(bbls)	9.8 million	354.00
Gypsum	35,200	1	1	2 million	2.0 million	57.00
Subtotal	<u>8,022,007</u>	<u>36</u>	<u>30</u>		<u>\$28,787.6 million</u>	
Cumulative On Going Programs	<u>15,806,993</u>	<u>47</u>	<u>--</u>		<u>--</u>	
GRAND TOTAL	<u><u>\$23,829,000</u></u>	<u><u>83</u></u>	<u><u>30</u></u>		<u><u>\$28,787.6 million</u></u>	

\* PI = Potential Income @ 10% of gross sales.

NOTE: The potential income portrayed above is not based entirely on completed Phase III study analysis. Phase III work is needed, however, to determine whether the resources are economically feasible to mine. Also, the potential income estimate is based on the 10% minimum royalty rate allowed.

B. Irrigation Operation and Maintenance

Authorization: The Snyder Act (25 U.S.C. 13) specifically authorizes services for the operation and maintenance of existing irrigation systems. Other laws (25 U.S.C. 385) authorize the Secretary to charge and collect for those services. Additional legislation (34 Stat. 1024; 39 Stat. 142 and 68 Stat. 1026) relates to the collection of charges on specific projects. The general regulations for administration of these services appear as Part 171 in 25 CFR.

Objective: To financially assist entitled Indian landowners through supplementing water user collections in order to conserve water and to properly operate and maintain the irrigation water delivery systems on 70 Indian irrigation projects in a safe, economical, beneficial, and equitable manner.

Base Program (\$6,757,000): Indian irrigation "projects" range from those comprising over 100,000 acres down to scattered units on Indian reservations of a few acres each. The Bureau of Indian Affairs fully operates and maintains 15 major projects, including those that contain both Indian and non-Indian land served by the water delivery systems. At the other extreme, the Bureau assists tribes in the maintenance of systems where heavy equipment is required to continue service to Indian users on subsistence garden units.

Following is a summary for the 1982 crop year, of irrigation project acreage and estimated value of crops grown:

<u>Land Ownership in Projects</u>	<u>Acreage</u>	<u>Gross Crop Value (\$ Millions)</u>
Indian Owned land	523,000	94.0
Indian Farmed	(201,000)	(45.0)
Non-Indian Farmed	(245,000)	(49.0)
Idle	(77,000)	(-0-)
Non-Indian Owned and Farmed	<u>154,000</u>	<u>20.8</u>
Grand Total	677,000	114.8

The 70 Indian irrigation projects are distributed throughout the West in the following pattern:

<u>BIA Area</u>	<u>No. of Projects</u>
Albuquerque	23
Billings	7
Navajo	1
Phoenix	28
Portland	7
Sacramento	4
	<u>70</u>

In FY 1983, funding was requested for one additional project (AK Chin). The contract between the Secretary and the Ak Chin Indian Community of May 20, 1980 implementing the Ak Chin Water Settlement Act (P.L. 95-328; 92 Stat. 409) provided for payment by the Bureau through 1983 of the costs of pumping from the existing on-reservation wells. The initial increment of the water supply from off-reservation sources is scheduled to be delivered to the Ak Chin Reservation in January, 1984.

The total annual operation and maintenance cost of Indian irrigation systems in FY 1983 is estimated to be \$20.6 million. Of that total, \$12.4 million will be collected from water users as shown under Miscellaneous Appropriations. Payments of assessed charges are required annually in advance from all non-Indian landowners; from all lessees of Indian land; and from Indians able to pay. Appropriated funds are sought for (1) Indians who are financially unable to pay their assessments; (2) Indian landowners on projects where they are not required to pay irrigation O&M because of law or court decree; (3) Indian owners in irrigation areas comprised of subsistence parcels; and (4) the Navajo Indian Irrigation Project (NIIP) for most of the O&M costs during construction. For administrative purposes, Indian irrigation projects are placed in one of the following categories:

1. Projects produce crops under sustained irrigation. These lands have the capability to pay the annual operation and maintenance costs and assessment rates are set to return the full cost.
2. Projects where the land does not have the capability to pay full O&M costs. Non-Indian users are required to pay full costs but assessment rates for Indian landowners-users on these projects are based upon the land's capability. Appropriated funds requested under this category are for: (1) Indians certified unable to pay the Indian assessment and (2) that part of the total cost above the Indian assessment rate. Funds used to cover costs within the assessment rate must be repaid; if not, a lien is placed on the land. Funds covering costs in excess of the assessment rate do not have to be repaid.
3. Funds for irrigated areas, such as subsistence garden tracts of a few acres, which are not economic units but do provide the Indian landowners with a means to supplement their livelihood. Appropriated funds sought are not repayable, and when spent, are not placed as a lien against the land benefitted.
4. Indian-owned lands served by a private or public irrigation district. Some of the Indian lands irrigated are exempted by statute from paying O&M costs.
5. Projects operated by the Bureau of Indian Affairs at no cost to the Indian landowners as provided by legislation or court decree.

A breakdown of the estimated FY 1984 costs and revenues for category I projects is as follows:

Irrigation Operation and Maintenance - Category 1 Projects  
(\$ Thousands)

<u>Project/State</u>	<u>Total Operating Cost</u>	<u>Collections</u>	<u>Difference</u>
Blackfeet, MT	409.1	305.0	104.1
Crow, MT	432.0	325.0	107.0
Fort Belknap, MT	138.4	79.0	59.4
Fort Peck, MT	233.4	175.0	58.4
Wind River, WY	605.4	500.0	105.4
Salt River, AZ	990.0	990.0	--
Uintah, UT	562.9	500.0	62.9
Fort Yuma, AZ	163.0	110.0	53.0
Wapato (Yakima), WA	1,929.9	1,500.0	429.9
Totals	<u>5,464.1</u>	<u>4,484.0</u>	<u>980.1</u>

Increase for 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From Base
B. Irrigation and Power (\$)	6,757	9,009	+2,252
(FTE-T)	(10)	(10)	(--)

Distribution:

Other Natural Resources Development Programs (\$)	6,757	9,009	+2,252
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Following is a summary of the FY 1984 total request by category:

<u>Category</u>	<u>No. of Projects</u>	<u>Funding Request</u>
1	9	\$ 895.6
2	7	320.3
3	41	1,042.5
4	7	372.3
5	5	2,571.3
NIIP	1	3,807.0
	<u>70</u>	<u>\$9,009.0</u>

FY 1983 appropriations will meet about 82.5% of the O&M costs allocable to the categories defined in the base program. The FY 1984 request will provide approximately 91.4% of those costs, exclusive of Navajo.

Of the \$2,252,000 increase, \$1,102,300 is for O&M costs during construction of NIIP and the remaining \$1,149,700 reflects rising costs on the other 69 projects. Most of that increase (\$745,000) is for the Indian portion of the San Carlos Project where, by court decree, the United States is obligated to provide irrigation water to these Indian lands at no cost. This subsidy was decreed because upstream non-Indian users were allowed to deplete the natural flow in the Gila River to which the Pimas are entitled. San Carlos Project (Indian and non-Indian) O&M rates are expected to increase about 65% between 1983 and 1984, reflecting the rapid rise in energy costs for pumping.

The Navajo Agricultural Products Industry (NAPI), the tribal entity farming the completed portion of NIIP, is being required to fund \$500,000 of O&M costs. This is in keeping with an informal agreement that users gradually assume costs after a reasonable farming development period. Project construction for NIIP has proceeded much slower than for most irrigation projects. Thus the plan for NIIP in the future is for NAPI to assume a portion of this O&M costs as each segment (10,000-acre block of land) is constructed. The \$500,000 in FY 1984 equates to \$10-\$11 per acre for the 48,000 acres now served.

Funds are not requested for O&M of the project authorized under the Ak-Chin Water Settlement Act (92 Stat. 409). Funds for operation of the existing on-reservation wells have been requested in recent years, as provided in the May 20, 1980, contract between the Indian Community and the Secretary.

Object Class Distribution - Minerals and Mining/Irrigation and Power Subactivity

Other services..... + \$890,000

Justification of Program and Performance

Activity: Trust Responsibilities  
 Subactivity: Indian Rights Protection

Program Elements		(Dollar Amounts in Thousands)				
		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
A. Environmental Quality	(\$) (FTE-T)	1,143 (21)	1,116 (21)	1,180 (21)	+37 (--)	+64 (--)
B. Indian Rights Protection	(\$) (FTE-T)	16,491 (61)	16,541 (61)	15,143 (61)	-1,348 (--)	-1,398 (--)
Total Requirements	(\$) (FTE-T)	17,634 (82)	17,657 (82)	16,323 (82)	-1,311 (--)	-1,334 (--)

Distribution:

Tribe/Agency Operations	(\$)	2,049	5,267	5,366	+3,317	+99
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	21	+21	+21
Area Offices Operations	(\$)	4,109	933	909	-3,200	-24
Central Office Staff Operations	(\$)	726	707	707	-19	--
All Other Trust Respon- sibilities Programs	(\$)	10,750	10,750	9,320	-1,430	-1,430
Archeological Clearances	(\$)	(300)	(300)	(300)	(--)	(--)
Statute of Limitations	(\$)	(2,500)	(--)	(--)	(-2,500)	(--)
All Other Rights Protection	(\$)	(5,050)	(7,550)	(6,620)	(+1,570)	(-930)
Alaska Lands Act	(\$)	(1,900)	(1,900)	(1,400)	(-500)	(-500)
ANCSA Cemetery/ Historical Sites	(\$)	(1,000)	(1,000)	(1,000)	(--)	(--)

A. Environmental Quality Services

Authorization: 25 U.S.C 13 "Snyder Act", November 2, 1921, which authorizes the Secretary to provide services to federally recognized Indians tribes.

42 U.S.C 4321, et. seq. "The National Environmental Policy Act", January 1, 1970 which requires Federal agencies to consider environmental impacts of proposed Federal actions and issue environmental impact statements for actions significantly affecting the human environment prior to decisions to proceed with them.

16 U.S.C. 470 et. seq. and 16 U.S.C. 470aa et. seq. "The National Historic Preservation Act" and "The Archeological Resources Protection Act" which establish a national policy for the management, preservation and protection of cultural and archeological resources.

Executive Order 12088, October 1978, "Federal Compliance with Pollution Control Standards" implemented by Departmental Manual 516 DM 4, requires all Bureaus to comply with Federal environmental pollution control laws, regulations and standards affecting air, water, noise and those related to applicable provisions of the Clean Water Act (P.L. 92-500), the Clean Air Act (P.L. 84-159), the Resource Conservation and Recovery Act (P.L. 94-580), Endangered Species Act (P.L. 93-205), Federal Environmental Pesticide Control Act (P.L. 92-516), as amended.

Objectives: The objectives of the Environmental Quality Program are: (1) to ensure that proposed Bureau actions affecting the reservation environment comply with procedural and substantive requirements of the National Environmental Policy Act (NEPA); (2) to review and comment on other federal agency NEPA documents for proposals that may have potential impacts on the Indian people and trust lands; (3) to comply with environmental protection laws in the areas of air, water and noise pollution, safe drinking water supply, storage and disposal of nuclear, toxic and hazardous wastes and pesticide management on the Indian reservations; (4) to comply with the National Historic Preservation Act, the Archeological Resources Protection Act and the Indian Religious Freedom Act to protect Indian archeological, historic and cultural resources and values on Indian trust lands; and (5) to comply with Executive Order 12088 and applicable Departmental policies and procedures in the prevention, control and abatement of environmental pollution in Federal facilities and activities under the control of the Bureau.

Base Program (\$1,116,000): The problems being addressed are basically those which have been recognized by Congress in enacting legislation for environmental protection and cultural resources management.

NEPA and various other acts such as the National Historic and Preservation Act, Fish and Wildlife Coordination Act and the Archeological Resources Protection Act require the examination of proposed actions on Indian lands to determine if they may affect the quality of the human environment or resources which are protected by specific statutes. These activities include; coal, mines, oil and gas exploration, uranium mining, timber harvesting, and other surface disturbing activities. When the examination or assessment indicates a significant impact, then an environmental impact statement (EIS) will be prepared to insure that the Indian people and Bureau officials are aware of impacts on the environment, the resources, tribal cultural heritage and social welfare.

The relationship between Environmental Quality and the other programs is that other programs initiate or receive proposals which may affect the environment, and the Environmental Quality program coordinates compliance with NEPA and other environmental laws. The Environmental Quality program also includes the coordination of activities regarding cultural resources, Clean Water Act, Clean Air Act, Endangered Species Act, Toxic Substances Control Act, other laws or regulations concerning the environment, and environmental issues which may not be addressed by existing law.

In complying with NEPA and other environmental laws, the Environmental Services Staff works quickly to determine which laws apply and the most efficient ways of obtaining compliances. As far as NEPA documents are concerned, action begins as soon as the project is defined. Schedules are set up and maintained at the maximum extent possible. Any problems that arise are quickly and thoroughly investigated and solutions are identified. It is the aim of the Environmental

Services Staff to complete the documents as rapidly and accurately as possible in order that the decision maker may have the maximum amount of time and the best information available in order to make an informed decision. This philosophy has been working very well as the Environmental Impact Statements (EIS) and Environmental Assessments (EA) of the past few years have been completed very close to schedule. This includes large projects such as the Mt. Tolman Mining Project and smaller projects such as oil and gas leases for the Northern Cheyenne.

An important part of the Environmental Quality program is the review, commenting on, and dissemination of environmental impact statements prepared by other agencies to insure that the Indian people are aware of the proposed actions and the impacts that may affect them, and that their concerns are considered.

The Archeological Clearance Program is designed to examine areas on trust or Federal lands being considered for construction or modification and to identify significant historic, archeological or scientific features, sites or data that may be present. If any of these features are found, measures are outlined to preserve, maintain or salvage the resources involved. These plans are also made available to the tribes.

The Bureau assumed full control of its clearance program, from the National Park Service during the fourth quarter of FY 1982. Vacant archeological positions were filled to handle the added workload. At present there are five full-time archeologists in the Bureau, all at the Area Office level.

Environmental program funds are used for personnel and support services at the Area Office level and the Central Office. Where staff are not available, the Bureau contracts with private consulting firms for resource investigations leading to reports, preparation of assessments, and statements necessary to attain the objectives and goals of the program. The funds which are requested for the tribe/agency level are for such contracts, environmental assessments, archeological surveys, and water quality monitoring.

These EIS's which are required of the Bureau are usually prepared by consulting firms, and cost approximately \$300,000 each. Funding for impact statements is not included in this request, since they are normally funded by the project applicant or by the program responsible for management of the resources proposed for development.

Of the twenty-one FTE for environmental services, 4 are located at the Central Office and 17 in the field offices. Not all environmental work is accomplished by these personnel. Efforts by staff of other programs (minerals, forestry, real estate, etc.) are required in environmental examinations and reviews. Funds for those activities are provided by those programs. In addition, there are major environmental assessments or impact statements which must be contracted for, usually from the program funds for the program involved in the assessment.

<u>Workload Data:</u>	<u>FY 1980</u>	<u>FY 1981</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
Environmental Examinations	48,000	45,500	51,600	52,500	60,000
" Assessments	720	700	700	730	750
" Impact Statements	8	6	2	6	6
" Reviews	430	420	1,300	1,500	1,600

Environmental examinations, assessments and reviews are routine in nature. Impact statements, however, are not routine and could be required at any time. They are usually a result of mineral development on reservations and are required before any leases to commence work can be authorized.

The EIS's which are listed above are projections of what may be required. Current projects requiring EIS's by the end of 1983 are the reclamation of the Jackpile Uranium Mines, New Mexico; the Hoopa River fishery controversy, California; the Navajo Railroad; and the proposed sanitary landfill on the Klallam Indian Reservation, Washington.

The Bureau encourages tribes to carry out environmental programs on their respective reservations with assistance from the Bureau, the Environmental Protection Agency and cooperating states. However, in the majority of tribes, their resources do not permit assuming program implementation, and reliance is placed on Federal assistance through the Bureau. Accordingly, the Bureau has prepared an annual average of 3 environmental impact statements (EIS), 6 major environmental assessments (EA) and reviews approximately 1700 EIS's, EA's and projects from other Federal agencies which may have significant impacts on the Indian tribes and their resources. Environmental impact statements cost approximately \$300,000 each and are normally funded by the project applicant or by the respective program responsible for the management of the resources. The role of the Environmental Services Staff of the Central Office is to effectively coordinate lead and cooperating agency involvement, time agency actions, reduce delay, integrate the NEPA process with other environmental review and consultation requirements such as the Fish and Wildlife Coordination Act and satisfactorily process the environmental impact statement. This includes internal and external review and comment, public involvement and the publication of notices of availability in the Federal Register. Included in this effort is the inviting of the Indian tribes to become a cooperating agency where tribal input and consultations are substantive.

The Archeological Clearance Program is designed to examine areas of trust on Federal lands being considered for construction or modification and to identify significant historic, archeological or cultural features, sites or data that may be present. If any of these features are found, measures are outlined to preserve, maintain or salvage the resources involved. These plans are also made available to the tribes.

The Bureau assumed full control of its archeological clearance program, from the National Park Service during the fourth quarter of FY 1982. Vacant archeological positions were filled to handle the added workload. At present there are five full-time archeologists in the Bureau, all at the Area level. Additional archeological positions are being advertised at the Area level.

Increase for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc.(+)Dec.(-) From Base</u>
A. Environmental				
Quality	(\$)	1,116	1,180	+64
	(FTE-T)	(21)	(21)	(--)
<u>Distribution:</u>				
Tribe/Agency Operations	(\$)	639	703	+64
Area Office Operations	(\$)	18	18	--
Central Office Staff Operations	(\$)	159	159	--
Archeological Clearances	(\$)	300	300	--

Tribe/Agency Operations (+\$64,000): This funding level, established by tribal priorities, will allow for preparation of additional environmental documents below the area office level. The additional funds could also be used for attendance at environmentally related training sessions. Further, any necessary archaeological clearance or endangered species consultation, of a minor nature, would be arranged using these funds.

## B. Indian Rights Protection

Authorization: 25 U.S.C. 13 (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

28 U.S.C. 2415 (Statute of Limitations) provides that the United States initiate claims for money damages in behalf of a recognized tribe, band or group of American Indians. This section also allows for similar actions for or on behalf of an individual whose land is held in trust or restricted status.

P.L. 97-394, the "Indian Claims Limitation Act of 1982", was included in the Bureau of Indian Affairs Administrative Provisions of the Appropriation Act for FY 1983. The Act extended the deadline for resolving claims.

P.L. 96-487, the Alaska Lands Act provides for subsistence protection for Alaska Natives, conveyance of title to Alaska Native allotment applicants, and economic development grants to Native groups.

The Alaska Native Claims Settlement Act, P.L. 92-203, provides for the investigation and certification of cemetery sites and historical places and their transfer to Native Regional Corporations.

Objectives: To preserve the resources and protect those rights which the United States guaranteed the various federally recognized Indian tribes through treaty, statute or executive order. In performing its fiduciary responsibilities, the Bureau of Indian Affairs must meet whatever challenges may occur and initiate action necessary for the protection and continued viability of those rights. To provide for tribes the financial ability to become involved through legal or legislative advocacy; to address all unresolved issues; i.e., water rights, fishing and hunting rights, tribal sovereignty, and to bring potentially contesting parties together on a broad scale to consider Indian rights issues and seek areas of common interests and goals.

Base Program (\$16,541,000): Seventy lawsuits related to Indian rights have been filed to date. Six of these will be in the trial or appeal stage during FY 1983, requiring major litigation support efforts; thirty more cases will be active, requiring research and evidence gathering efforts; unresolved issues will continually be identified and resolved. Evidence will also be gathered for Statute of Limitations active claims.

Indian tribes are vitally interested in preventing the erosion of their rights. Within the Federal Government, in addition to the Bureau of Indian Affairs, the Department of Interior Solicitor and the Department of Justice both have key roles in rights protection. The Department of Justice usually represents the Indian interest in cases under adjudication. The Interior Solicitor provides legal advice to the Bureau and to tribes concerning rights issues and prepares litigation reports for consideration by the Department of Justice.

If the Federal Government were to withdraw from requesting and supporting Indian tribes in rights protection efforts, few tribes would be financially able to afford the extremely high costs of litigation. Consequently, land, water and other resources belonging to a tribe would often be diverted to non-Indian use. However, court rulings sometimes require the Federal Government to provide the protection needed because of treaty or statutory requirements.

It is incumbent upon the Federal government, by virtue of its fiduciary responsibility to see to it that Indian rights are not abrogated, lost, or infringed upon. A majority of the tribes are not financially able to undertake the programs necessary to protect their rights and resources. As pressures mount on scarce resources, especially water, program efforts must assure that Indian rights are effectively protected.

Area/Agency Operations (\$5,543,000): The rights protection activity provides the Bureau of Indian Affairs with problem-solving staff and technical support services at the reservation or regional level for the protection of the multi-billion dollar estate which the United States administers on behalf of the Nation's Indian tribes. This includes support to meet challenges to tribal rights and interests that are protected by treaty, statute, or Executive Order, as well as the initiation of those actions required of a prudent trustee to clarify the nature of and to ensure the continued viability of those rights. Where negotiated agreements are not possible, this activity provides the historical, technical, scientific, and other professional expertise necessary for the Government to litigate challenges to Indian rights which the United States has guaranteed through treaty or statute.

The major costs for services required in the protection of Indian rights cannot be met within the Tribe/Agency level of funding and has been programmed for several years in the subactivities described below; i.e., litigation support, attorney fees, unresolved Indian rights issues, hunting and fishing rights. Those subactivities are programmed at the Central Office, based on information provided by the tribes, Agency and Area Offices. The funds are used to support rights protection activities, on a priority basis, based upon the relative importance and urgency of the controversy being negotiated or litigated.

Central Office Staff Operations (\$548,000): This element provides the Bureau of Indian Affairs professional, technical and managerial personnel to administer the rights protection program at the national level, to undertake policy initiatives, to initiate and review legislation, to make allocation determinations for rights protection funds centrally controlled, and to issue and monitor contracts for rights protection research on a multi-regional or national basis. These staff work with all segments of the Bureau in rights issues affecting all trust and natural resources programs.

Other Indian Rights Protection:

- A. Litigation Support (\$1,762,000): This activity provides the information and evidence gathering capability required by the United States to successfully defend the Government's position in litigation involving Indian rights issues. In some instances, the United States is suing in actions brought on its own behalf or on behalf of the Indian tribes; in others, is a named defendant in actions brought by third parties; and in others a named defendant in actions brought against the United States by Indian tribes. Litigation support is also provided to the tribe in cases where they are separately represented because other interests of the United States conflict with those of the affected tribe. In such cases a trust relationship and fiduciary obligation still exists. Much of the activity conducted in support of

litigation is actually directed towards negotiated settlement of lawsuits. The great majority of cases requiring litigation support involve the defense of Indian water rights. Others include trespass, title questions such as property line disputes, rights-of-way, allotment claims, mineral entry, pollution issues, activities which have harmed or could harm the health and safety of the reservation population.

Cases are addressed on a priority basis with those either in court or due to be in court within a short period of time receiving first consideration. Amounts expended for each case vary upon the data needed. Data needed could range from historical studies to establish prior use of the resources to hydrologic studies to determine water tables and volume available and its capacity to irrigate a certain number of acres.

Cases addressed since FY 1980 are as follows: FY 1980, 13 cases; FY 1981, 7 cases; FY 1982, 19 cases; and in FY 1983 an estimated 15 cases. Not all cases are totally addressed in any one fiscal year. Some case studies may be phased over two, three or more years.

- B Attorneys Fees (\$1,000,000): Decisions of the Comptroller General and the Court of Appeals for the 10th Circuit have ruled that it is appropriate to expend appropriated funds to enable a tribe to retain independent counsel in situations in which the United States cannot represent them as contemplated by 25 U.S.C 175, or where separate representation is required due to inherent conflicts of interest because the United States is representing its own proprietary interests, or because several tribes with conflicting interests are involved in the same case.

Regulations are being promulgated governing the expenditure of appropriated funds for the fees of private attorneys representing tribes in cases being litigated, or where the tribe is initiating litigation. Following are the existing policy guidelines determining priority classification of eligibility for attorney fee funding:

- (a) In the event that a tribe is sued directly and must defend its immunity from suit as well as on the merits and the Attorney General declines to defend the tribe, these facts will constitute the Bureau's first priority funding of a tribe's attorney fees.
- (b) In the event that the United States is sued and a tribe's (or tribes') rights and interests (e.g., Winters right) are challenged by the action and, in addition, other identified interests of the United States (BuRec, BLM, etc.) or the rights and interests of another tribe conflict with those of the affected tribe, such facts will constitute the Bureau's second-priority funding of a tribe's (or tribes') attorney fees.
- (c) In the event that the actions (or inactions) of another party detrimentally affect the rights and interests of a tribe, and the Attorney General declines to bring suit to enjoin such action, thus forcing the affected tribe to bring suit to protect its rights and interests, such facts will constitute the Bureau's third-priority funding of a tribe's attorney fees.

- C. Unresolved Indian Rights Issues and Statute of Limitations (\$3,130,000): This activity addresses a broad spectrum of rights issues not under litigation. The emphasis is upon identifying rights issues and obtaining satisfactory resolution at the lowest possible level. This activity was

initiated about four years ago with requisite research undertaken to identify unresolved situations requiring action to protect and preserve Indian rights. The number of issues has risen as a result of the Statute of Limitations effort. Claims not under that program will be addressed by this activity. Information generated by this activity is used primarily to seek and obtain a negotiated settlement; failing this, it can be used to support the initiation of litigation. Some of the issues identified can be resolved administratively or through legislation. The issues addressed include, among others, those involving water rights, minerals entry, trespass, title questions, renewable resources, pollution problems and activities which endanger reservation persons or property. In most cases, negotiated settlements will be obtained at the local Agency/Reservation level.

The Statute of Limitations program was initiated to identify, research, prepare, and file all valid claims for money damages against third parties which arose prior to 1966 to file these claims before December 31, 1982, when the Statute of Limitations expires, and to develop legislative remedies for certain types of claims which could be more appropriately resolved by legislation. The program is designed to protect rights and to avoid government liability for failure to discharge the fiduciary responsibilities of the United States.

On December 30, 1982, Congress extended the deadline for filing claims under the Statute of Limitations, (28 U.S.C. 2415) to provide for modification of tribes and individual Indian claims, and to allow for the presentation of unidentified claims.

- D. Hunting and Fishing Rights (\$1,658,000): Tribes are going to court to establish their rights not only to hunt and fish but also to assure that sufficient natural resources, i.e., water, forage, etc., are available to make those rights meaningful, to prevent the misuse of the resource by persons and agencies; to guarantee that the resources are protected for use by future generations. This activity provides the United States and Indian tribes with the information necessary to determine the extent to which treaty hunting and fishing rights may be asserted without damaging the fish and game resources. This includes biological data collection and analysis to establish herd sizes, stocking rates, harvest quotas, and analysis of environmental development, and other impacts on fish and game resources. The information also provides a basis for self-regulation by tribes, who must be able to demonstrate to the satisfaction of the states and the courts that they have the management and enforcement capacity to regulate their members' exercise of treaty hunting and fishing rights in such a manner as to prevent depredation of the resources. If they are unable to do so, the tribes could become subject to regulation by the state, which in turn could lead to regulation of treaty rights out of existence.
- E. ANCSA Site Surveys (\$1,000,000): This funding provides field support units for investigation and certification of cemetery sites and historical places authorized by the Alaska Native Claims Settlement Act. Most of the sites are remote and accessible only by helicopter. Travel is an integral part of the ANCSA program, absorbing about 1/3 of annual funding requirements. Field Support units planned for FY 1983 are located in Doyon, NANA, Bristol Bay, Calista and Aleut Regions.

At this funding level, 160 sites could be located, additional information gathered and verified.

F. Alaska Lands Act (\$1,900,000): As authorized by P.L. 96-487, the Alaska National Interest Lands Conservation Act (ANILCA), this funding provides for effective coordination/consultation with land managing agencies and the state on subsistence preference for Alaska Natives; administration of programs affecting the acquisition of Native allotments, and the administration of grants to each of the Native Group Corporations certified as a Native Group under the Alaska Native Claims Settlement Act.

Additional funds will be used to establish an automated retrieval system for the allotment records. Inventories of merchantable timber on Native allotments will be accomplished. Trespass, abatement, and fire protection services will be provided for allotments. Of this amount 500,000 will be used for settlement costs of land selections for three Alaska Native Corporations, as required by the Alaska Lands Act.

Workload Data:

In FY 1981 Litigation Support was provided for 9 cases, Attorney Fees for 10 tribes, Hunting and Fishing rights support for 8 tribes and for 7 major unresolved Indian rights issues. Funds were also provided to research files to determine possible claims subject to the Statute of Limitations 28 U.S.C. 2415. Approximately 5,000 possible claims were identified.

In FY 1982 Litigation Support was provided for 18 cases, Attorney Fees for 10 cases, Hunting and Fishing rights support for 16 tribes as well as to initiate a Indian fisheries commission in the Great Lakes Area and to provide for a public educational program to acquaint the non-Indian public in regard to Indian rights. Funds were also provided to research possible claims subject to the Statute of Limitations (28 U.S.C. 2415). Over 19,000 possible claims have been identified.

In FY 1983 it is estimated that 23 cases will be funded to support litigation, 13 tribes will be provided support funds for hunting and fishing rights protection and approximately 18 to 20 tribes will be provided funds for attorney fees to pursue their cases independently. Funds will also be provided for continuation of unresolved Indian rights issues and for additional research as needed to support those cases filed in court or for those claims submitted for legislative resolution under the Statute of Limitations (28 U.S.C. 2415).

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984</u> <u>Base</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Inc. (+)</u> <u>Dec. (-)</u> <u>From Base</u>
B. Indian Rights Protection	(\$)	16,541	15,143	-1,398
	(FTE-T)	(61)	(61)	(--)

(Dollar Amounts in Thousands)

<u>Program Elements</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
<u>Distribution:</u>			
Tribe/Agency Operations (\$)	4,628	4,663	+35
P.L. 93-638 Pay Cost (Tribe Agency)	--	21	+21
Area Office Operations (\$)	915	891	-24
Central Office Staff Operations (\$)	548	548	--
Litigation Support (\$)	1,762	1,762	--
Attorneys Fees (\$)	1,000	1,500	+500
Unresolved Indian Rights Issues (\$)	3,130	1,500	-1,630
Statute of Limitations (\$)	-0-	-0-	--
Hunting and Fishing Rights (\$)	1,658	1,858	+200
ANCSA Site Surveys (\$)	1,000	1,000	--
Alaska Lands Act (\$)	1,900	1,400	-500

Tribe/Agency Operations (+\$56 000): The tribal priority increase of \$35,000 reflects the emphasis on providing greater flexibility and involvement of the tribes in the operations that directly affect the protection and management of their rights and natural resources. This will be accomplished, where possible, through contracts with the tribes. Activities performed include: monitoring and supervision of leases; monitoring of water distribution; developing and providing technological expertise for litigation and/or negotiations; monitoring impacts of development practices on water resources. Tribes will also address issues pertaining to trespass, boundaries, hunting and fishing rights and tribal jurisdiction. The FY 1984 request includes \$21,000 to cover additional salary costs calculated at 4% to gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Area Office Operations (-\$24,000): The decrease was established by the Area Office priority system. As indicated above, the emphasis is to concentrate participation and project operation at the lowest level, accordingly, major emphasis of program operations will be at the tribe/agency level. Area Offices will provide technical assistance and assistance in monitoring and evaluating delivery systems to facilitate management objectives of contract and grant programs by tribe/agency. They will also provide technical expertise and assistance in the investigation, analysis, and resolution of major problems involving tribal sovereignty, water rights, land titles, boundary locations,

hunting and fishing jurisdictional issues, taxation, and the review of State and Federal administrative rulings, judicial decisions and legislation affecting Indians and Indian tribes.

Attorney Fees (+\$500,000): The additional funds will enable approximately 18-20 requests to be addressed. At present the Bureau is obligated by statute, P.L. 96-305, to provide \$140,000 each to the Navajo and Hopi Tribes, and other attorney expenses for these same tribes in accordance with P.L. 93-531.

Unresolved Indian Rights Issues and Statute of Limitations (-\$1,630,000): This reduction is the net result of combining these two programs. Formerly, there was \$630,000 in the Unresolved issues program, and \$2,500,000 in the Statute program. As a direct result of research to locate possible claims under the Statute of Limitations program, 8,561 issues were added to these Unresolved Indian Rights Issues activity, (title issues 4,683; and unapproved beneficial rights-of-ways issues 3,878). For those claims, it was administratively determined that (1) in the case of rights-of-ways, while technical trespasses exist, claims for damages were without merit since the benefits derived offset the damages; (2) in those cases where title was the most valuable aspect, and since the statute does not run on title cases, it would not be cost effective to pursue these claims for damages. However, we still have a responsibility to resolve these issues.

It is estimated that approximately 900 of these issues will be addressed in FY 1984. A conservative estimate of the cost per issue is approximately \$1,250. The per issue cost is based on the estimated cost of appraisals, surveys, and title searches needed in order to adequately document the particular issue. Although it is presently planned that these issues will be approached on a batch or group basis, each will have to be addressed individually within the group to be resolved.

It is anticipated that basic research, documentation, and data necessary to successfully file cases under the Statute of Limitations program will have been completed in FY 1983, as well as all or most of the studies, appraisals, and other documentation needed to pursue cases filed in courts. Accordingly, continued funding is not necessary for Statute of Limitations, as a separate program.

Hunting and Fishing Rights (+\$200,000): The additional funds will provide for continued operation and expansion of the biological research operations necessary to the continued protection, conservation and cooperative efforts with state agencies in the wise harvest of the fishery resources of the Great Lakes. It will also provide for a limited expansion of conservation protection activities on reservations in Minnesota and Wisconsin which is needed to assure that the rights are protected and not infringed upon.

Alaska Lands Act (-\$500,000): \$1,000,000 of the \$2,000,000 funding requirements for settlement costs of land selections for three Alaska Native Corporations: Shee Atika, Goldbelt and Kootznoowoo, was funded during FY 1982 (\$500,000) and FY 1983 (\$500,000). An additional \$1,000,000 was requested in FY 1983, but this was deleted by the Congress and also is not included in this request. The FY 1984 request for this program (\$1,400,000), represents funding for the continued implementation of the subsistence program responsibilities of the Bureau.

Object Class Distribution - Indian Rights Protection Subactivity

Travel and transportation of persons.....	- \$ 4,000
Other services.....	- <u>1,330,000</u>
Total.....	- <u><u>\$1,334,000</u></u>

Justification of Program and Performance

Activity: Trust Responsibilities  
 Subactivity: Real Estate/Financial Trust

(Dollar Amounts in Thousands)						
<u>Program Elements</u>		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
A. Trust Services, General	(\$)	902	1,016	1,015	+113	-1
	(FTE-T)	(26)	(28)	(28)	(+2)	(--)
B. Real Estate Services	(\$)	24,012	24,162	23,266	-746	-896
	(FTE-T)	(577)	(571)	(559)	(-18)	(-12)
C. Financial Trust Services	(\$)	3,491	3,461	3,438	-53	-23
	(FTE-T)	(125)	(125)	(125)	(--)	(--)
 Total Requirements	 (\$)	 28,405	 28,639	 27,719	 -686	 -920
	(FTE-T)	(728)	(724)	(712)	(-16)	(-12)
 <u>Distribution:</u>						
Tribe/Agency Operations	(\$)	14,551	18,898	19,818	+5,267	+920
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	--	32	+32	+32
Area Offices Operations	(\$)	7,114	2,932	2,834	-4,280	-98
Central Office Staff Operations	(\$)	1,440	1,509	1,370	-70	-139
 Other Trust Responsibilities						
Programs:	(\$)	5,300	5,300	3,665	-1,635	-1,635
Cadastral Surveys	(\$)	(1,400)	(1,400)	(1,100)	(-300)	(-300)
Lands Records Improv.	(\$)	(1,200)	(1,200)	(1,100)	(-100)	(-100)
Lease Compliance	(\$)	(2,500)	(2,500)	(1,465)	(-1,035)	(-1,035)
Special Appraisals	(\$)	(200)	(200)	(--)	(-200)	(-200)

A. Trust Services, General

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To provide consistent, quality and timely direction and assistance in technical operations of all trust responsibilities programs; to direct, formulate and coordinate program policy, program planning, development and execution; and to provide managerial assistance in the execution of trust services.

Base Program (\$1,016,000): This program provides funding for executive and managerial direction and support for trust and natural resources activities in the Central Office, and to land and trust matters in field offices. The responsibilities of these staff may include all or some of the following: Environmental Services, Rights Protection, Real Estate Services, Appraisals, Land Use Planning, Land Records Improvement, Financial Trust Services, Agriculture, Range, Soil and Moisture Conservation, Forestry, Fire Suppression, Energy and Minerals, Water Resources, Wildlife and Parks, Irrigation Construction and Operation & Maintenance, Fish and Game Management, Water Planning Implementation, Cultural Resources, Archeological Clearances, Road Construction, Road Maintenance, and others. In the Washington Office, all of these programs are provided direction and support from the Office of the Director of Trust Responsibilities. These funds provide for the staff of the Office of Director, Trust Responsibilities, in Washington; for Trust Protection staff at some field locations; and for studies or contracts that may affect all or a combination of some of the trust responsibilities and natural resources programs at each location.

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		FY	FY	Inc. (+)
		1984	1984	Dec. (-)
		<u>Base</u>	<u>Estimate</u>	<u>From Base</u>
A. Trust Services,				
General	(\$)	1,016	1,015	-1
	(FTE-T)	(28)	(28)	(--)
<u>Distribution:</u>				
Tribe/Agency Operations	(\$)	244	396	+152
Area Office Operations	(\$)	272	258	-14
Central Office				
Staff Operations	(\$)	500	361	-139

Tribe/Agency Operations (+\$152,000): \$106,000 of this tribal priority increase is the net result of moving funds from the area office level to the agency programs to provide services on-site, to the degree possible. \$46,000 of the increase is the sum of specific tribal requests in order to increase attention in activities dealing with their trust resources, rights, real estate and lease transactions; increase contracting, and make available increased technical assistance for developmental activities of tribal resources.

Area Office Operations (-\$14,000): This is the net effect of adjustments in resources at the various area offices, and in movement of funds from area to agency programs.

Central Office Operations (-\$139,000): The decrease is based on a management decision to have the cost of information systems management activities assumed by each program rather than being paid in total from Trust Services, General.

## B. Real Estate Services

Authorization: 25 U.S.C. 13, (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

The Bureau of Indian Affairs' responsibility under 25 U.S.C. 13 is to provide general administration of Indian property. Additional real estate services are mandated by other codes, statutes and court decisions. Among these requirements are: approve all contracts related to services on Indian lands (25 U.S.C. 176); consent to the alienation of tribal lands (25 U.S.C. 311-328); extend periods of trust and regulate descent and partition of kinship's interest (25 U.S.C. 398); sub-surface leasing of trust lands (25 U.S.C. 396 , and subparts a through g). Under Seminole Nation v. United States (316 U.S.C. 286 (1942), the Federal Government is charged to exercise its trust responsibilities by using the "most exacting fiduciary standards." More recent federal statutes with which real estate services must interact are National Environmental Protection Act, Historic Preservation Act, Archaeological Antiquities Act, and the Archaeological Resources Protection Act of 1979.

Objectives: To protect and enhance the corpus of the Indian trust estate by providing both individual Indian landowners and Indian tribes with the professional, technical, administrative, and protective services required of the United States in its role as trustee of Indian owned real property. To work with the Indian tribes, Congress and other interested parties toward resolution of the undivided heirship problem of allotted Indian land. Provide assistance in land use planning and resource management planning to those tribal entities which have requested and demonstrated a need for these services. To facilitate economic use of land by developing a capability to provide accurate and timely land record information.

### Base Program (\$24,162,000):

Tribe/Agency Operations (\$15,678,000): The Bureau of Indian Affairs, in addition to administration of lands under trust, provides real property management, counseling, appraisals and land use and management planning services to individual Indian allottees and 499 Federally recognized tribes who own a beneficial interest in over 52 million acres of trust land.

Various decision making processes are developed through a cooperative effort with the Indian landowners for the proper utilization, development and enhancement of Indian trust lands.

The overall aim of these interrelated activities is to provide Indian land owners the essential data and assistance in support of the management and development of their energy, mineral and land resources in keeping with the trust management role of the federal government. As a result of this, trust land leasing activities are a major part of the real estate program and provide a major source of income to the Indians. Over \$400,000,000 was derived from farm, business, oil, gas and other mineral leases for the fiscal year ending September 30, 1981. In addition, land owners derive millions of dollars in added land values from land improvement and conservation stipulations contained in Bureau leases.

Land ownership (title) recordkeeping becomes more complicated each day because of the heirship problem, and segregated surface and sub-surface ownership. There are over 200,000 tracts of trust land with an average tract ownership of

ten undivided interest owners in allotted tracts, resulting in over 2,000,000 separate undivided interests on which to keep records. Special consideration is necessary this year to develop a system of records that will meet the Bureau's responsibility under provisions of the Alaska Lands Act.

The preparation and administration of probates are required in the administration of trust property and are essential functions in our basic program. This has also caused, and continues, the mounting Indian land heirship problem. As resources permit, work with governmental and tribal entities to develop a method to resolve this problem must be pursued.

Area Office Operations (\$2,464,000): The Area Offices provide technical support and general policy direction as well as administrative review of agency real property management services. Technical support services include appeals assistance, review of developmental initiatives, and land use planning.

Central Office Operations (\$720,000): Central Office staff operations provide the basic real estate services policy advice required at the national level.

Cadastral Surveys (\$1,400,000): Funding for surveys in the amount of \$1.4 million will provide approximately 650 miles of boundary surveys in FY 1983. The program is directed toward accomplishing tribally-identified survey priorities in the areas of energy and energy-related mineral development where lack of a correctly identified boundary constrains management and/or development of resources.

The table below shows accomplished (a) and estimated (e) number of miles of cadastral surveys performed by the Bureau of Land Management in the following fiscal years:

<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>
451 (a)	600 (e)	700 (e)	650 (e)	540 (e)

The Inter-agency Cadastral Coordination Council which began its efforts in fiscal year 1981, became operational during fiscal year 1982, and this will, (through a more efficient scheduling of survey work) lead to an increase in the number of miles of boundaries surveyed. For example, if another agency has survey work in the same general geographic area as does the Bureau of Indian Affairs, the two surveys can be scheduled in connection with each other. Administrative expenses (chiefly travel) are reduced, with more time devoted to actual survey of boundaries, hence, more miles of boundary surveyed.

Land Records Improvement (\$1,200,000): A funding level in FY 1983 of \$1.2 million allows the continued leasing of an on-line computer capability, existing ADP systems maintenance, continuation of land title examinations, and training in use of the automated land records system by our title plant and agency personnel. The land title examination effort results in the examination of over forty thousand land titles. Our present schedule is to complete the previously identified 200,000 title backlog in two additional years, provided this rate of accomplishment is maintained.

Lease Compliance (\$2,500,000): The resources allocated to this activity are used by the Bureau for a systematic lease compliance monitoring system. Terms and conditions of approximately 23,900 leases will be enforced through these efforts. In many cases, actions by the Bureau for noncompliance will result in recovery of funds for the Indian landowner. The basic real estate program will continue to provide for routine inspections required to assure the integrity

of the trust lands management responsibilities. Leases to be given priority under this lease compliance activity are oil and gas, mining, agricultural (developmental stipulations), and rights-of-way.

The basis of systematic lease monitoring is the agency lease files. Approximately 20% of the leases expire each year, and these leases are selected as the first priority for inspection. Lease compliance personnel, sometimes acting in conjunction with other land operations, forestry or mineral personnel, will take copies of leases with them while they physically inspect the leased premises for compliance with the lease contract terms and stipulations. These will range from proper fencing and cropping patterns to oil and gas well royalty accounting procedures. These activities are undertaken by agency level compliance specialists. The superintendent oversees the controls of these events. Current benefit/cost ratios of the program show that 3.0 to 3.5 dollars are recovered for every 1.0 that is expended, benefits from enhanced land base and improvements that result are not counted at this stage of the program. The favorable ratio is achieved by economies of scale (better coordination, multiple inspections and inspectors on the same trip, etc.).

Business and energy-related leases involve auditing of corporate books by professional personnel. Because of the nature of the work, contracted services will be used. As tribal priorities are identified (such as a program for monitoring production of producing oil and gas wells), the short response time frames necessitate contracting as opposed to hiring new personnel. It is anticipated that the Southwest and the Dakotas will be primary targets of emphasis as resource extraction activities in these locations have intensified during the past few years.

Special Appraisals (\$200,000): Funding provides a capability to meet appraisal needs arising from unforeseen emergencies such as oil spill damages, rights-of-way abuse, and other land damages that require an appraisal to effect settlement. The urgency of need for these appraisals makes it necessary to contract these services.

Workload Data: Major program activities include all aspects of real property management and land resources development with the following being of primary concern:

- Surface and sub-surface lease preparation and modification actions
- Rights-of-ways grants and permits
- Land acquisitions
- Land disposals
- Partitions and exchanges of interest in lands
- Operation and maintenance of systematic title ownership records system
- Lease and land use contract compliance monitoring
- Appraisal and evaluation services
- Land use plan review and plans developed
- Boundary surveys
- Land management counseling services
- Land resource inventory evaluation
- Condemnation actions
- Land title status reports
- Probate inventories and heirship data
- Probate order administration
- Advertised sales oil and gas
- Advertised land sales
- Response to lease appeals

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
B. Real Estate Services	(\$) (FTE-T)	24,162 (571)	23,266 (559)	-896 (-12)
<u>Distribution:</u>				
Tribe/Agency Operations	(\$)	15,678	16,469	+791
P.L. 93-638 Pay Cost (Tribe/Agency)	(\$)	--	32	+32
Area Office Operations	(\$)	2,464	2,380	-84
Central Office Staff Operations	(\$)	720	720	--
Cadastral Surveys	(\$)	1,400	1,100	-300
Lands Records Improv.	(\$)	1,200	1,100	-100
Lease Compliance	(\$)	2,500	1 465	-1,035
Appraisals	(\$)	200	--	-200

Tribe/Agency Operations (+\$823,000): The \$791,000 increase established by the tribal priorities expressed in the local agency plans represents a continued emphasis on improving real estate services funding at the tribe/agency level. The increase will be used to facilitate continued and increased contracting for the realty services with tribes by providing for the increased cost of doing business in their base program. These tribe/agency functions are the basic real estate services such as leasing, permitting, rights-of-way services and acquisition and disposal activities at the constituent level. Provisions for technical services to meet program needs not otherwise available to tribes will also be provided.

The FY 1984 request includes an increase of \$32,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106(h) of P.L. 93-638.

Area Office Operations (-\$84,000) The reduction of area office operations is reflected in an increase in Tribe/Agency Operations for additional technical services support funding, consolidation of staff, and increased contracting.

Cadastral Surveys (-\$300,000): The decrease will provide adequate survey work to meet minimal program needs. The Bureau plans to survey approximately 540 miles of boundaries in fiscal year 1984.

Land Records Improvement (-\$100,000): The reduction of \$100,000 is a result of decreased contracting services for microfilming which is not needed in FY 1984, but is proposed to be pursued at a later date.

Lease Compliance (-\$1,035,000): The decrease in this program will reduce the output of inspections to approximately 9,400. All expiring leases (20 percent or 4,800 of the total of 23,900 leases) will be examined as well as an additional 4,600 leases.

Appraisals (-\$200,000): There is no anticipation of need for this funding in FY 1984. Should emergency appraisal services be needed the Bureau will arrange to either secure services or funding from field resources on an as needed basis.

### C. Financial Trust Services

Authorization: 25 U.S.C. 13, (the Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To provide individual Indians and Indian tribes the same or equivalent, technical, administrative and protective services that are expected and duly rendered to a beneficiary under any lawful trust created or imposed to protect, maintain or enhance the corpus of the trust estate.

Base Program (\$3,461,000): This program provides various services, including: accounting for and disbursing of tribal and individual Indian monies deriving from the sale or lease of tribal resources such as land, timber, minerals and water; disbursing per capita payments, judgments, awards and claims; providing for trust fund histories, and research projects involving special fiscal problems; special financial reports for use in litigation cases; trust fund data for legislative acts and recommendations for the execution of the acts. The program is responsible for investing the various trust fund revenues so as to maximize returns while still protecting the funds one hundred percent as to security, and providing through an automated accounting system, monthly reports for the appropriate tribes and individuals.

#### Workload Data:

	<u>FY 1981</u>	<u>FY 1982</u>
Total invested	\$1.4 billion	\$1.5 billion
Per Annum Earnings	\$191.2 million	\$215.9 million
Tribes Serviced (#)	267	269
Individual Indian Money Accounts (#)	240,000	250,000

Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
C. Financial Trust Services				
	(\$)	3,461	3,438	-23
	(FTE-T)	(125)	(125)	(--)
<u>Distribution:</u>				
Tribe/Agency Operations	(\$)	2,976	2,953	-23
Area Office Operations	(\$)	196	196	--
Central Office Staff Operations	(\$)	289	289	--

Tribe/Agency (-\$23,000): This decreases the net result of tribal priorities, and consists of only minor reductions at the agencies involved. The reduction of \$23,000 will not affect the government's fiduciary obligation to collect and disburse those funds held in trust on behalf of Indian tribes and individuals in the most expeditious manner possible, while maintaining a creditable files and records system.

Object Class Distribution - Real Estate & Financial Trust Services Subactivity

<u>Position Title</u>	<u>Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Realty Specialist.....	7/11	-11	-\$209,138
Clerk.....	2/3	-4	-40,802
Subtotal.....		-15	-249,940
Lapse Percentage and Other Adjustments* (+52%)...		+3	+129,940
Total Personnel Compensation (FTE-T).....		-12	-120,000
Personnel Benefits.....			-12,000
Travel and Transportation of Persons.....			-14,000
Other services.....			-701,000
Supplies.....			-73,000
Total.....			<u><u>-\$920,000</u></u>

\* Lapse amount includes allowances for partial salaries, severance pay, lump sum leave payments and other benefits available to employees separated from Federal employment.

Justification of Program and Performance

Activity: Facilities Management

Subactivity:

(Dollar Amounts in Thousands)

Program Elements		1983	FY	FY	Inc. (+)	Inc. (+)
		Approp. Enacted to date	1984 Base	1984 Estimate	Dec. (-) From 1983	Dec. (-) From Base
A. GSA Rentals	\$	8,000	7,200	7,215	-785	+15
B. Facilities Oper. and Maint.	\$ (FTE-T)	80,900 (1,610)	83,021 (1,596)	81,695 (1,539)	+795 (-64)	-1,326 (-57)
Total Requirements	\$ (FTE-T)	88,900 (1,610)	90,221 (1,596)	88,910 (1,539)	+10 (-64)	-1,311 (-57)

Distribution

GSA Rentals	8,000	7,200	7,200	-800	--
New GSA Rentals	-0-	-0-	15	+15	+15
Existing Facility O&M***	76,390	77,463	75,916	-474	-1,547
New Facil. O&M	180	-0-*	521	+341	+521
New Direct Rentals	31	-0-*	31	-0-	+31
FACCOM et al	-0-	1,500**	1,500	+1,500	--
Area Office Ops.	3,925	3,701	3,370	-555	-331
Central Office Staff	374	357	357	-17	--

\* 1983 New Facil. O&M and New Direct Rentals which become part of Existing Fac. O&M in 1984 Base.

\*\* \$1,500,000 for FACCOM, et. al. transferred to Facilities Management from Program Management (Construction Management) in 1984 base.

\*\*\* Includes Previously Private Schools O&M.

A. GSA Rentals

Authorization: Public Building Amendments Act of 1972 (P.L. 92-313).

Objective: To provide adequate space and physical facilities to effectively operate the programs of the Bureau at locations which do not have adequate Bureau-owned facilities.

Base Program: The base program includes funds for 1,089,000 square feet of GSA provided space serving Bureau programs throughout the country. This reflects a 10% reduction in space compared to FY 1983 which is expected as a result of implementing the overhead reduction at central and area offices by the end of FY 1983. This \$800,000 reduction has been applied to the 1984 Base program.

<u>Program Elements</u>	<u>FY 1984 Base</u>	<u>FY 1984 Estimate</u>	<u>Inc. (+) Dec. (-) From Base</u>
GSA Rentals	-0-	15	+15

Increase for 1984: An increase of \$15,000 compared to the FY 1984 Base is requested in FY 1984 for GSA Rentals of the Ardmore Agency at Ardmore, Oklahoma. The space required for operation of the Agency headquarters is to be increased from 2,700 square feet to 4,300 square feet.

#### B. Facility Operation and Maintenance

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indian Tribes.

Objective: The objective of the Facility Operation and Maintenance (O&M) program is to provide basic facility operating services to existing Bureau owned and/or operated facilities and previously private schools (institutions now funded by the Bureau which were either operated privately or by tribe in the past) and to maintain these facilities in satisfactory operating condition for the conduct of Bureau programs.

Base Program: During FY 1982, actual Facility Operation and Maintenance costs were as charted below:

<u>Building Type</u>	<u>Square Feet</u>	<u>% of Total</u>	<u>(\$000) O&amp;M Cost</u>	<u>% of Total</u>
Academic	9,839,115	33.63	29,290	39.21
Dormitory & Ancillary	6,220,974	21.26	19,803	26.51
Quarters & Mobile Qtrs	7,152,105	24.45	16,591	22.21
Non Education (Admin., Law & Order, Maintenance, etc.)	1,567,800	5.36	4,527	6.06
All others support (Ware- houses, Fire Sta., Forestry, etc.)	<u>4,476,573</u>	<u>15.30</u>	<u>4,489</u>	<u>6.01</u>
<b>Total</b>	<b>29,256,567</b>	<b>100.00%</b>	<b>\$74,700</b>	<b>100.00%</b>

a. Existing Facilities O&M: The Existing Facilities O&M program provides services to about 10,000 buildings containing approximately 29,000,000 square feet at some 400 locations throughout the United States. Costs for the O&M program include utilities, personal services, minor repair and preventive maintenance, supplies, materials, and equipment. Necessary utilities and services such as heating, cooling, electricity, water, sewage and refuse disposal, fuel and fuel storage, and communications total 31% of the program; personal services for janitorial services and protection cost 20%; minor repairs and preventive maintenance cost 23%; program supplies, materials, and equipment comprise 26% of the program. The facilities maintained include quarters, dormitories, offices, academic buildings, shops, kitchen/dining, recreation, law enforcement, grounds and streets.

Within Existing Facilities O&M program funds are included for BIA Contract Schools. Services provided to these schools are the same as those for the Bureau operated facilities cited above. A detailed listing of these schools follows:

BIA CONTRACT SCHOOLS

	<u>Size In Square Feet</u>
<u>ALASKA</u>	
Akiachak Day School*	15,709
Akiak*	5,726
Chevak Day School*	43,325
<u>ARIZONA</u>	
Black Water Community School	8,042
Hotevilla Day School*	36,761
Havasupai Day School*	11,034
Rock Point Community School*	195,020
Rough Rock Demonstration School*	164,286
Black Mesa Elementary	15,239
Little Singer Community	4,985
<u>FLORIDA</u>	
Miccosukee Day School	20,475
<u>IDAHO</u>	
Shoshone-Bannock alternative	9,094
Nez Perce Day School	7,200
Couer d'Alene Indian School	19,293
<u>IOWA</u>	
Sac & Fox School	12,151
<u>KANSAS</u>	
Kickapoo Nation School	54,279
<u>MICHIGAN</u>	
Hannahville Indian School	3,881
<u>MINNESOTA</u>	
Fond Du Lac Ojibway School	6,400
Bug-O-Nay-Ge-Shig School	10,494
Circle-of-Life Survival School	5,760
Nay-Ah-Sig Day School	4,200
<u>MONTANA</u>	
Two Eagle River School	23,145
Busby School*	171,368
Labre Indian School	111,390
Rocky Boy	18,620
<u>MAINE</u>	
Indian Island School	8,832
Indian Township School	11,967
Pleasant Point School	9,762

BIA CONTRACT SCHOOLS - Continued

	<u>Size in Square Feet</u>
<u>NEW MEXICO</u>	
Santa Fe Indian School*	309,076
Pine Hill School*	42,302
Shiprock Alternative School*	13,496
Navajo Academy*	73,994
Shiprock Early Childhood	104,976
Borrogo Pass School*	22,923
Alamo Navajo*	21,458
<u>NEVADA</u>	
Pyramid Lake School	17,303
Duckwater School	6,558
<u>NORTH DAKOTA</u>	
Twin Butte Day School*	29,240
St. Michaels	45,999
Theodore Jamerson Elementary	13,112
Ojibway Indian School	58,961
Turtle Mountain High School*	90,545
<u>SOUTH DAKOTA</u>	
Red Scaffold Day School*	24,784
Pierre Indian Learning Center*	112,444
Mandaree Day School*	101,563
Little Wound Day School*	112,138
Loneman Day School*	72,231
St. Francis	104,757
Marty Indian School	140,000
Crow Creek High School	176,000
<u>WASHINGTON</u>	
Lummi	20,000 est.
Quileute Indian School	21,927
Wah-He-Lute Indian School	6,343
Payallup Tribal School	47,502
Yakima Tribal School	29,932
Paschal Sherman Indian School	60,211
<u>WISCONSIN</u>	
Oneida Tribal Indian School	15,400
Lac Courte Orielles Ojibway	39,800
<u>WYOMING</u>	
Wyoming Indian School	60,039
St. Stephens	29,100
BUREAU-WIDE TOTAL CONTRACT SCHOOL SQ.FT.	3,034,552

\*School owned by BIA but operated and maintained by contract.  
The other schools listed are owned by tribes.

b. New Facilities O&M: For FY 1983, \$180,000 was requested for this item. Facilities for which funding was requested are Havasupai Day School, Red Rock Day School, Arizona; Turtle Mountain High, North Dakota; and Torreon Day School, New Mexico. These funds have been added to the Existing Facility O&M item in the FY 1984 Base column.

c. New Direct Rentals: This line item is for new (additional) rentals of space from tribes or other non-GSA sources in support of Bureau programs. In 1983 \$31,000 was requested and has been added to the existing Facility O&M item in the FY 1984 base column.

d. FACCOM et al: In FY 1983, the FACCOM funding was transferred from the Department's OCM to the Bureau's Program Management Subactivity. The funds requested in the FY 84 budget for FACCOM is a transfer of function and funding from Program Management to Operation and Maintenance. This change is to put the FACCOM operation in the Activity which is the principle beneficiary of the program efforts. The Facility Construction, Operation, and Maintenance (FACCOM) item includes the cost of development and operational maintenance of automated data processing systems (hardware and software) for the purpose of providing an information system designed to provide management with necessary data for: (1) planning, design and construction of new facilities; (2) facility improvement and repair; and (3) facility operation and maintenance. When fully developed, the system will provide information required by management for making policy and program decisions, provide current information to assist operating or facility managers to manage programs, and enhance the development of timely reports as required. Estimated annual costs of \$1,000,000 for FACCOM are programmed by the Bureau in FY 1983. An additional \$100,000 is programmed for the boiler inspection program, and \$400,000 for construction supervision.

e. Area Office Operations: The Area Office facility management staff is responsible for the major functions of technical coordination and engineering. In the technical coordination phase the specific functions include program development of the agency facility improvement and repair program; furnishing of overall guidance to the agency facility operation and maintenance program; distribution of available funds within the area; providing technical guidance and assistance to agency plant management staff and tribal projects; providing inspection and evaluation service to agency staff on facilities; providing field activities with energy conservation and environmental protection expertise. The Area Office facility management engineering section provides engineering survey services and construction management and engineering technical assistance. The Area Office staff also provides direct support to the execution of the Agency level facility program. These direct support activities include supervision and inspection of major repair and improvement projects; inspection and evaluation of specialty systems such as boilers, water and waste disposal, water treatment, and control systems for heating and cooling plants, alarms and communications; trouble diagnosis in electrical and mechanical systems; and the identification and development of repair project need, scope and cost. Personal services total 68% of this line item, with the remaining 32% for the purposes of supplies/materials, equipment, and travel.

f. Central Office Staff: The Central Office facility management staff coordinates the Bureau's Facility Management responsibilities, deals with other Federal Agencies, evaluates performance by the field, and develops program policy recommendations for line management.

Decrease for FY 1984: Requested changes to the Facility Operation and Maintenance Program are charted below:

(dollar Amounts in Thousands)

	1983	FY 1984	FY 1984	Inc.(+) Dec.(-)	Inc.(+) Dec.(-)
	Approp. enacted to date	base	Estimate	From 1983	From Base
a. Existing Facility O&M	76,390	77,463	75,916	-474	-1,547
b. New Direct Rentals	31	-0-	31	-0-	+31
c. New Facilities O&M	180	-0-	521	+341	+521
d. FACCOM et al	-0-	1,500	1,500	+1,500	--
e. Area Office Operations	3,925	3,701	3,370	-555	-331
f. Central Office Staff	374	357	357	-17	--
	<u>80,900</u>	<u>83,021</u>	<u>81,695</u>	<u>795</u>	<u>-1,326</u>

a. Existing Facilities O&M: For FY 1984, we are requesting \$75,916,000, a reduction of \$1,547,000 from the FY 1984 base. The decrease is due to a \$6,114,000 program decrease related to a scheduled school closure; several tentatively proposed school closures and transfers; and a program increase of \$4,003,000. The \$4,003,000 will be used to provide improved maintenance levels to the Existing Facilities O&M Program. An increase in maintenance (and preventive maintenance) of existing facilities will reduce additions to the backlog of tasks for the Facilities Improvement and Repair program under the Buildings and Utilities subactivity. Any increase in fuel costs and ADP user charges for the planned installation of the FACCOM system will also be funded through this increase.

The Alaska Day Schools are in the process of being transferred to the State of Alaska. However, continuing negotiations with the State have resulted in the Bureau's proposal to continue to operate 10 schools during the 1983-84 school year.

The FY 1984 needs for Alaska Day Schools are \$1,830,000 for operation, plus additional \$150,000 for severance and lump sum and leave payments - a total of \$1,980,000. The Mt. Edgecumbe Boarding School, scheduled for closure at the end of the 1982-83 school year, will require \$723,000 for severance pay and security during FY 1984. Intermountain School is tentatively scheduled for closure during FY 1983 and will need \$1,077,000 for severance pay, lump sum leave, and security during FY 1984. The Existing Facility O&M program could also benefit from \$750,000 in tentatively expected savings at the Southwest Indian Polytechnic Institute (SIPI) facility which may be operated in FY 1984 by some other institution at no cost to the Bureau. In addition, the tentatively planned FY 1983 closures of Concho and Wahpeton Boarding Schools may generate some limited additional savings after payment of severance pay, lump sum leave payments and security costs.

The net estimated savings in O&M for FY 1984 from the above proposed closures/transfers totals \$6,114,000 as indicated by the following table:

<u>SCHOOLS</u>	<u>FY 1983 BUDGET</u>	<u>DESCRIPTION OF NEEDS</u>	<u>FY 1984 NEEDS</u>	<u>DIFFERENCE</u>
Mt. Edgecumbe	\$3,200,000	Severance Pay and Security	\$723,000	\$-2,477,000
20 Day Schools	\$3,630,000	Severance Pay ) for Employees of ) 10 Day Schools ) Operation Funds for ) 10 Day Schools )	\$150,000) \$1,830,000)	---\$-1,650,000
17 DAY SCHOOLS (Severance Pay)	\$173,000	None in FY 84	-0-	\$-173,000
Subtotal Alaska	\$7,003,000 *		\$2,703,000	\$-4,300,000
Intermountain	\$1,577,000	Severance Pay and Security	\$1,077,000	\$-500,000
Concho	457,000	" "	187,000	-270,000
Wahpeton	499,000	" "	205,000	-294,000
SIPI	750,000	None in FY 84	-0-	\$-750,000
TOTAL	\$10,286,000		\$4,172,000	\$6,114,000

\* This amount includes FY 1982 funding levels for the schools adjusted for pay cost added in FY 1983, as well as a share of the FY 1983 funding appropriated for utility cost increases and maintenance program improvement.

The FTE for existing facilities operation and maintenance is being reduced from 1,487 to 1,430. This reduction of 57 FTE will be possible through the closure of Mount Edgecumbe Boarding School tentatively proposed closures of Intermountain School, Concho and Wahpeton Boarding Schools, and transfers of 10 Alaska Day Schools in a continuing cooperative effort with the State of Alaska. The savings will develop in two phases. About 1/4 of the savings will be realized in FY 1983, at the close of 1982-83 school year, with the remaining 3/4's to be achieved in FY 1984.

b. New Facilities O&M: The new facilities described below are scheduled to be completed in FY 1984 and will require \$521,000 for O&M costs:

<u>Facility/State</u>	<u>Estimated (in square ft.)</u>	<u>New Facilities O&amp;M</u>	<u>Est. Date</u>
Rosebud Law Enforcement, SD	13,000	\$13,160	May 1984
Winnebago Detention, NE	6,000	9,840	Aug 1984
Menominee Courthouse, WI	15,000	24,600	Jul 1984
Little Eagle School, SD	19,678	7,944	Aug 1984
Bug-O-Nay-Ge-Shig School, MN	31,000	26,627	May 1984
Moencopi School, AZ	12,000	19,411	Jun 1983
Navajo Mountain School, UT	64,061	181,836	Jun 1983
Rough Rock School, AZ	33,800	38,208	Dec 1983
St. Stephens School, WY	51,981	90,051	May 1983
Ft. Totten School, ND	68,285	109,323	Jan 1983
Totals	314,805	\$521,000	

c. New Direct Rentals: New Direct Rentals of \$31,000 are requested in FY 1984. Funding was established by the tribal priority system at the Fort Belknap Agency from other existing agency level programs to finance the new direct rental. The amount is required to fully fund the rental cost of tribally owned facilities leased by the Agency for the past several years.

d. FACCOM, et. al.: The Department through the Office of Construction Management (OCM), has funded the development of the Bureau's Facilities Management Information Systems (FACCOM). It is anticipated that the majority of the automated systems will be in operation by FY 1984 and ready for implementation. As part of the FACCOM development it is to be interfaced with other Bureau automated systems such as finance, payroll and fedstrip (GSA procurement). This will enable the Facilities Management Offices to utilize the most current financial information in managing and monitoring the FI&R, New Construction, Quarters and the Facilities Operation and Maintenance programs. The FY 1984 request continues the FY 1983 level.

e. Area Office Operations: The Area Office Operations portion of the Facilities Management Program is included in the Area priority setting process. It competes with other programs for funding. In FY 1984 as a result of the priority setting process it was decreased by \$331,000. The decrease in funding will result in a slight reduction in the technical assistance furnished by the Area Offices, with the larger agencies operating more independently than in past years.

f. Central Office Staff: This program will remain the same as in the FY 1984 Base.

Object Class Distribution - Facilities Management Activity

<u>Position Title</u>	<u>Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Tractor Operator	WB 6	-2	-36,941
Custodian	WB 1/2	-7	-217,610
Utility Repairman	WB 5	-4	-123,822
Boiler Plant Operator	WB 9/10	-9	-266,740
Maintenance Worker	WB 6/8	-5	-110,594
Electrician	WB 10	-4	-127,462
Mechanic	WB 7/10	-4	-104,291
Foreman	WB 8/9	-6	-234,250
Carpenter	WB 9	-7	-232,940
Clerk (T)	GS 3/5	-4	-54,266
Water Treatment Operator	WB 9	-1	-20,155
Facility Manager	GS 9/12	-3	-100,743
Motor Vehicle Operator	6	-1	-35,194
Laundry Worker	WB 2	-5	-170,269
Floor Layer	9	-1	-22,651
Guard	GS 3	-2	-23,775
Engineering Equipment Operator	WB 10	-2	-88,504
Budget Assistant	7	-1	-20,975
Warehouseman	WB 6	-1	-33,925
Pipefitter	WB 8/10	-3	-99,195
Painter	WB 9	-4	-120,099
Supply Technician	6	-1	-15,895
Laborer	WB 3	-1	-22,901
Engineering Technician	7	-1	-20,975
Secretary	5	-1	-14,261
Positions Other Than Permanent	Various	-38	-868,725
Subtotal.....		-118	-\$3,187,158

Object Class Distribution - Facilities Management Activity - Continued

	<u>FTE</u>	<u>Amount</u>
Lapse Percentage and Other Adjustments * (+60%)..	+61	+ 1,900,158
Other Personnel Compensation.....	<u>--</u>	<u>- 107,000</u>
Total Personnel Compensation (FTE-T)	-57	- 1,394,000
Personnel Benefits.....		- 138,000
Other Services.....		+ 312,000
Lands and Structures.....		<u>- 91,000</u>
Total		<u><u>-\$1,311,000</u></u>

\*Lapse amount includes allowances for partial salaries, severance pay, lump sum leave payments and other benefits available to employees separated from Federal employment.

Justification of Program and Performance

Activity: General Administration  
 Subactivity: Management and Administration

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
A. Executive Direction	\$ (FTE-T)	8,538 (253)	8,526 (244)	9,206 (244)	+668 (-9)	+680 (--)
B. Administrative Services	\$ (FTE-T)	34,826 (1,167)	33,388 (1,069)	35,526 (1,069)	+700 (-98)	+2,138 (--)
C. ADP Services	\$ (FTE-T)	3,420 (72)	3,197 (66)	3,197 (66)	-223 (-6)	(--) (--)
D. Safety Management	\$ (FTE-T)	1,070 (26)	1,054 (26)	825 (26)	-245 (--)	-229 (--)
E. 638 Oversight/ Cost Determ.	\$ (FTE-T)	-0- (--)	-0- (--)	680 (18)	+680 (+18)	+680 (+18)
Total Requirements	\$ (FTE-T)	47,854 (1,518)	46,165 (1,405)	49,434 (1,423)	+1,580 (-95)	+3,269 (+18)

Distribution

Tribe/Agency Operations	\$	15,841	16,183	17,827	+1,986	+1,644
638 Pay Cost (TR/AG)	\$	-0-	-0-	8	+8	+8
Area Office Operations	\$	13,339	12,127	12,011	-1,328	-116
Central Office Staff	\$	10,524	9,688	9,654	-870	-34
Intra-Gov. charges	\$	4,275	4,275	5,362	+1,087	+1,087
TAAS	\$	760	777	777	+17	-0-
ADP Modernization	\$	3,115	3,115	3,115	-0-	-0-
638 Oversight Cost/Det.	\$	-0-	-0-	680	+680	+680

A. Executive Direction and EEO

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To plan, develop, direct, and control the implementation of policy in the operation of the Bureau of Indian Affairs to ensure the fulfillment of the Bureau's mission, goals and objectives.

Base Program (\$8,526,000): Because the program provides leadership and line management for all Bureau programs at all organizational levels, each level is funded as a separate activity. Funding at the Tribe/Agency level is determined by the priority setting process--the tribe allocates the funding for each activity. Thus, the number and type of executive positions at a given Agency are determined by tribal priorities. At the Tribe/Agency level, line officers and their support staff amount to 160 persons. None of the activities of this program are contracted. The activities for FY 1983 are:

- A. Central Office (\$938,000): Public Information, Congressional and Legislative Affairs, Equal Employment Opportunity, and Bureau Controlled Correspondence;
- B. Area Office (\$1,221,000): Office of the Director, including immediate staff, at 12 locations;
- C. Agency (\$6,367,000): Office of the Superintendent at 83 agencies (2 Agencies have no Bureau staff) and;
- D. Line managers located at various other independent locations such as area field offices, and subagencies. Funding for these managers is included in the Area and Agency amounts above.

Workload Data: Workload is not measurable in terms of identifiable outputs except in the area of EEO where annual affirmative action plans are published and all complaints/appeals must be serviced and actions completed within specified time frames. The executive function requires administrative and programmatic decision making and directed actions in keeping with delegated authorities. These decisions and actions cover all aspects of Bureau operations in carrying out specific policies, goals, and objectives as identified by the Administration, Department, and the Bureau of Indian Affairs.

<u>Increase for 1984:</u>	<u>1984 Base</u>	<u>1984 Estimate</u>	<u>Increase</u>	
\$000	8,526	9,206	+680	
(FTE/T)	(244)	(244)	(-0-)	
<u>Distribution</u>	<u>Tribe/Agency</u>	<u>Area Offices</u>	<u>Central Office</u>	<u>Total</u>
\$000	+680	-0-	-0-	+680
(FTE/T)	(0)	(0)	(-0-)	(-0-)

Tribe/Agency: The total FY 1984 funding for Agency level Executive Direction is increased by \$680,000 through the tribal priority system. Tribes have recognized the need to adequately fund the line management function at the local level. The funds will be used to provide additional travel and other support costs to the Office of Superintendent at various agencies.

Central Office/Area Offices: Funding is maintained at FY 1984 Base levels for Central and Area Offices. This program has not received an increase since FY 1982 and has not been provided additional funds for support costs which have increased due to inflation. The net effect will be a slight reduction in service levels.

## B. Administrative Services

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To provide administrative support to the programs which carry out the mission of the Bureau of Indian Affairs at all levels.

Base Program (\$33,388,000): The Bureau's administrative services support the implementation of the Federal Government's statutes, orders, regulations, and other directives which provide the foundation for control and accountability of resources including management of funds, work force, property, materials and supplies, contracts and grants. The functions performed include management of general administration, personnel, property, procurement, records, mail, organization, budget, and finance. None of these activities are contracted, except for several small contracts with tribes to perform program planning functions at the reservation level.

Activity in some functions of administration has steadily increased due to implementation of P.L. 93-638, the Indian Self-Determination and Education Assistance Act and P.L. 95-561, the Education Amendments of 1978. P.L. 93-638 has increased the number of contracts and grants. Although this has diminished the overall Bureau work force, the offsetting workload in financial management and contract management has increased, because administration of contracts and grants dictates a high level of assistance to tribes to ensure that they maintain adequate systems for accountability and control of Federal funds. These additional monitoring functions have also required the establishment of better Bureau control and accountability systems in the procurement, property, and financial management functions.

Under P.L. 95-561, a third personnel system, based on contracts for employees, was initiated. This, coupled with the regular personnel system and the excepted service for Indians, has created complex and increased processing activities in personnel management.

The new laws under which the Bureau operates will eventually result in a reduction of either the level or complexity of workload as tribes become more proficient in operating programs. Because of this, the Bureau believes it can begin to reduce overhead costs and organizational layering. The Base program includes annualization of a tentatively distributed general overhead cost reduction initiated in FY 1983. The actual distribution of the reductions is pending final decisions on initiatives to improve the cost effectiveness of Bureau management and support functions.

Table I provides information on selected workload factors for the Administrative Services program.

TABLE I. SELECTED WORKLOAD FACTORS - ADMINISTRATIVE SERVICES

<u>SELECTED WORKLOAD FACTOR</u>	<u>UM</u>	<u>FY 1982</u>	<u>FY 1983 (Estimate)</u>	<u>FY 1984 (Estimate)</u>
I. Fiscal Transactions Processed <u>1/</u>	No.	8,600,000	8,700,000	8,750,000
II. Procurement Actions Completed <u>2/</u>	No.	100,000	100,000	100,000
III. Contracts Negotiated:				
1. Program Contracts P.L. 93-638	No.	1,152	1,600	1,180
2. Service Contracts <u>3/</u>	No.	3,000	3,200	3,300
IV. Grants Administered:				
1. P.L. 93-638	No.	459	464	470
2. Child Welfare Act	No.	190	163	137
V. Personnel Actions Completed <u>4/</u>	No.	50,482	54,400	54,800
VI. Property Inventory Items Maintained <u>5/</u>	No.	194,600	200,000	200,000
VII. Volume of Records Maintained <u>6/</u>	Cu. Ft.	134,400	141,120	148,176
VIII. Pieces of Franked Mail Dispatched <u>7/</u>	No.	3,616,482	3,797,325	3,987,165

1/ Includes all types of intra- and inter-Bureau transactions processed during the year such as allotments, allocations, obligations, disbursements, collections, refunds, etc.

2/ This number takes into account procurement requests for acquisition of supplies, materials, property, utilities, space and other similar services used in the conduct of Bureau operated programs.

3/ Includes consultant software, construction contracts, & other program performance and service contracts.

4/ Processing of personnel actions such as accessions, promotions, separations, etc., requiring completion of SF-50s, (Notification of Personnel Action).

5/ Includes only personal property items which are maintained on the property management inventory system and are accountable to an organization element.

6/ Figure represents total volume on hand including volume created during the year, less volume transferred to Record Center or destroyed.

7/ Based on semi-annual sampling data.

<u>Increase for 1984:</u>	<u>1984 Base</u>	<u>1984 Estimate</u>	<u>Increase</u>
\$000	33,388	35,526	+2,138
(FTE/T)	(1,069)	(1,069)	(-0-)

<u>Distribution:</u>	<u>Tribe/Agency</u>	<u>Area Offices</u>	<u>Central Office</u>	<u>Intra-Govt. Assessmnt.</u>	<u>Total</u>
\$000	+1,051	-0-	-0-	+1,087	+2,138
(FTE-T)	(-0-)	(-0-)	(-0-)	(-0-)	(-0-)

Tribe/Agency: The total FY 1984 funding for Administrative Services has been increased by \$1,051,000 at the Tribe/Agency through the tribal priority system. Tribes have recognized the need to have adequate administrative support for the other programs at the reservation level. This increase will improve administrative support at the reservation level by adding funds for travel, supplies and materials and other expense.

The FY 1984 request includes an increase of \$8,000 to cover additional salary costs calculated at 4% of gross salaries for employees of tribal contractors in order to comply with the requirements of Sec. 106 (h) of P.L. 93-638.

Central Office/Area Offices: Funding is maintained at FY 1984 Base levels for Central and Area Offices.

Intra-Governmental Charges: There is an increase of \$1,087,000 projected for FY 1984 because of rate changes. Should FY 1984 costs exceed these estimated levels, additional funding will be derived by establishing user charges as feasible. The breakdown in the categories is as follows:

(in thousands of dollars)

	<u>FY 1983</u> <u>Approp.</u>	<u>FY 1984</u> <u>Estimate</u>	<u>Increase</u>
Postage	1,400	1,580	180
FTS-General	1,995	2,852	857
FTS-Domestic	120	170	50
GSA-Refile	270	270	-0-
Departmental Billings <u>1/</u>	490	490	-0-
	4,275	5,362	1,087

1/ Departmental Billings are those charges by the Department for services provided to the Bureau by programs under the Office of the Secretary. The charges are computed by statistical proration or based upon actual usage. The services for FY 1982 were:

Storage and Shipping	Enforcement and Security Mgmt.
Medical and Health	Space Management
Printing	GAO Audit Index Hearing
General Services	EEO Branch of Investigation
Departmental Training	Minority Business Procurement and Policy

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C. ADP Services

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to Federally recognized Indians.

Objective: To develop, install and maintain an Automatic Data Processing System which, through utilization of modern technology, enhances the Bureau's ability to operate efficiently and provide increased services to its service population.

Base Program (\$3,197,000): The funding in the Base Program provides continuity to the previously developed effort which was to modernize and upgrade the Bureau's ADP capability by providing a modern computing equipment and communications network at all levels of the Bureau.

The cost of operating existing ADP systems are borne directly by the users through a user chargeback system. The user only pays for ADP services actually received and can use inhouse equipment to the extent available or, other ADP services either provided commercially or through agreement with other agencies.

The ADP modernization funding is provided to supplement the initial lease, installation and telecommunications cost of the equipment. After full implementation and after adequate usage experience data is available, costs will then be contained within user budget requests.

The area-agency computing system is now being installed and tested and will be operational during FY 1983. Systems will be placed on this new equipment as they are developed and decentralized and the users are trained in their operation. Efforts to upgrade the administrative programs and tribal management systems are continuing.

The following two tables are intended to identify the sources of funds for all ADP activities (including ADP modernization) on Table I and to then identify specifically all uses and recipients of those funds, on Table II.

Table I  
Sources of ADP Funds (\$000)

	<u>Actual</u> <u>FY 82</u>	<u>Planned</u> <u>FY 83</u>	<u>Planned</u> <u>FY 84</u>
1. ADP modernization funds to acquire and install equipment and to assist in funding the installation of a communication system.	\$2,963	\$3,197	\$3,115
2. ADP Central direct funded staff.	585	305	82
3. User chargeback funds billed to programs to develop and operate systems as requested.			
The breakdown of such charges is:	6,200	6,700	7,033
Facilities	(208)	Not	Not
(Road Const.)	(126)	known	known
Trust Services	(459)	at	at
Indian Services	(528)	this	this
Administration	(4,879)	time	time

Table I (Continued)  
Sources of ADP Funds (\$000)

	<u>Actual FY 82</u>	<u>Planned FY 83</u>	<u>Planned FY 84</u>
4. Area user charges are billed to users of the area computers to develop and operate local systems.	450	728	1,210
5. Social Services directly funds the operation and maintenance of a network to service its requirements. This program will be integrated into the Bureau's network in FY 84 and the Social Services System will be funded through a user charge.	\$1,800	790	-0-
6. Education will directly fund the installation and operation of computer terminals at schools to support the education information systems.	-0-	285	285
7. The Departmental Payroll/Personnel System utilized by the Bureau. Programs receiving services directly fund developmental and operations activities	<u>540</u>	<u>800</u>	<u>1,000</u>
Total	12,538	12,805	12,725

Table II  
Uses of ADP Funds (\$000)

1. Field equipment the procurement of field equipment has been made through a contract to Burroughs Corporation.	2,802	\$4,529	\$4,479
2. Central processing provided in FY 1982 by Martin-Marietta Data Systems (MMDS) or equivalent IBM Facilities. This processing will be decreased as more systems are distributed to the field equipment.	3,033	1,500	850
3. Telecommunications expenses are paid to operating telephone companies and support the field network.	908	1,050	1,650
4. Communications costs for Social Services are paid directly by the Social Services programs and support an American Telephone and Telegraph supplied Data-speed net work. This network will be phased out as the field equipment and telecommunications are installed. (Operations cost is reimbursed to the Bureau of Mines under item 10 below)	1,100	490	-0-

Table II (Continued)  
Uses of ADP Funds (\$000)

	<u>Actual</u> <u>FY 82</u>	<u>Planned</u> <u>FY 83</u>	<u>Planned</u> <u>FY 84</u>
5. The Payroll/Personnel System of the Bureau of Reclamation has been adopted. BIA funds some development and operations of this system.	540	880	1,000
6. Central ADP operations provides staff support to the operation of the Central computers, Martin-Marietta Data System (MMDS) or equivalent IBM facilities and the field Network. It leases and utilizes source data automation equipment. Much of the development effort is accomplished through contracting to "Buy Indian" firms.	2,426	2,426	2,426
7. Standards and control is funded separately and includes central management functions necessary to administer a Bureauwide network.	579	615	615
8. Education computing equipment is also procured under basic contract to the Burroughs Corporation. However the placement of this equipment is funded directly by the BIA, Office Education.	-0-	285	285
9. Area functions are responsible for staffing and operating computers within their offices. This function (funded by local user charges) will be significantly increased as computers are placed in each office and terminals are installed at agencies and schools.	450	730	1,420
10. The Bureau currently reimburses the Bureau of Mines for computer support of the Social Service network. This cost will be phased out as Social Service adopts the BIA field system.	700	300	-0-
Total program-all funding sources and uses	<u>\$12,538</u>	<u>\$12,805</u>	<u>\$12,725</u>
FTE-T	(79)	(66)	(66)
Contracting (percent of operation)	(76)	(75)	(70)

Note: These estimates do not include certain equipment placed in areas for specialized purposes e.g. computer aided instruction nor does it include non-data telecommunications.

### Status of ADP Moderization Program

Computing hardware is leased and is expected to cost \$12.8 million over a seven year projected life. Other costs are for telecommunications, which will run approximately \$2.0 million per year; systems development will be paid for by the programs and funded in their budgets. Funds have been appropriated at approximately the same level since FY 1979. Past funding has been for site preparation, conversion and preparation for a full distributed network. The equipment contract was awarded at the beginning of FY 1982. Equipment will be installed using the existing seven year contract. No further field equipment purchases are now contemplated. The central part of our network will, however, be studied and new equipment may possibly be recommended for this portion of the system in a few years. The appropriation funds a significant portion of the installation of the computing equipment and telecommunications; after full installation, costs are partially borne by the using organizations. Ultimately all costs will be reimbursable. Since the equipment is leased, costs will continue to accrue each year at approximately the same level.

The computer network will support all Bureau functions and local decision making including land systems, law and order systems, social services, individual indian moneys, forestry, property, irrigation billing, finance and personnel. Almost all equipment will be installed in FY 1983. Computer software to support program and administrative functions will be installed throughout the life of the computer system. It will maintain a computer capability which will be able to support state-of-the-art delivery of services to Indian people to manage the trust and to provide sound administration of Government functions.

Workload Data: Workload Data for ADP Services (primarily financed by user charges) for FY 1982, FY 1983 and beyond include the following items:

- A. Payment system acquisition from the Department of Agriculture (DOA) and modification to the Bureau's needs.
- B. Expansion of the Social Service System Bureau-wide.
- C. Acquisition of mini-computers for each area office, the Central Office, and acquisition of terminals for each agency (85) and most Indian schools (140).
- D. Telecommunications facilities to support the computer/terminal acquisition.
- E. Competition and multiple award of a contract for systems and programming support from "Buy Indian" firms.
- F. Expansion of the Integrated Records Management System Bureau-wide.
- G. Development of Education systems to support the Indian Education Act (P.L. 95-561).
- H. Development of new financial, contracting, and personnel systems to enable delegation of more administrative authorities to field levels.
- I. Full implementation of a Land Records Improvement System (LRIS) for la
- J. Microfiche conversion of land title records and archiving of historical title information.
- K. Development of a full ADP security program to support a decentralized distributed computer network.
- L. Conversion to the Bureau of Reclamation's PAY/PERS system in FY 1983.

<u>Increase/Decrease for FY 1984:</u>	FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
\$000	3,197	3,197	(--)
(FTE-T)	(66)	(66)	(--)

The FY 1984 request continues the FY 1984 Base level. Costs of the equipment and telecommunications will be borne by directly appropriated ADP Services costs during the installation and training phase. As the systems become fully operational, these costs will be borne by the user in accordance with the estimate provided in Table I.

The FTE-T shown is primarily financed by the ADP User Chargeback System.

#### D. SAFETY MANAGEMENT

Authorizations: Public Law 91-596 is known as the Occupational Safety and Health Act of 1970. Executive Order 12196, October 21, 1980 requires Federal Agencies to comply with Sections 6, 19, and 24 of the Act.

Public Law 89-554 (5 U.S.C. 7901-3) directs the heads of agencies to establish services to federal employees; a health service program to promote and maintain the physical and mental fitness of employees; safety programs to promote safety and to reduce accidents and injuries among employees; and to provide and maintain personal protective clothing and equipment to employees.

The Federal Employees' Compensation Act of September 7, 1916 (39 Stat. 742, 5 U.S.C. 8101 et seq.) as amended, provides compensation for disability or death and full medical care for civilian officers and employees of the U.S. Government who suffer injuries or occupational illnesses in the performance of their duties. Public Law 83-766 amending the Federal Property and Administrative Services Act of 1949, (40 U.S.C. 491 (j)) provides the congressional policy to provide for an economical and efficient system for the transportation of government personnel and property and to assure the safety of an operator of a government-owned or leased vehicle or a privately-owned motor vehicle used on official business.

Authority for the compensation of losses due to negligent or wrongful acts or omissions of federal employees is the Federal Tort Claims Act of 1964.

The authority for the Indian Highway Safety Program is in the Federal Aid Highway Act of 1973 (P.L. 93-87) which states "that for the purposes of Indian tribes applying for Highway Safety Program funding, the Secretary of the Interior is designated as governor of the "Indian" state and that the tribes are political subdivisions of the Indian State." Bureau authority is derived from the Memorandum of Agreement between the Departments of Transportation and Interior dated May 15, 1974, implementing a Highway Safety Program on Indian reservations.

The authorities for Safety Management Technical Assistance Programs to tribes are the Snyder Act (25 U.S.C. 13) and the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450).

Objective: To provide policy, management, direction and evaluation of Bureau Safety Management Programs.

Base Program (\$1,054,000): The 14 program activities are as follows:

- (1) BIA Occupational Safety and Health Program consistent with the Federal Occupational Safety and Health Program;
- (2) administration of the Loss Compensation Program which assures that all accidents and incidents under BIA jurisdiction are thoroughly investigated and documented including assistance to the Solicitor's office in the prompt settlement of loss compensation claims;
- (3) assistance to the training of employees in their rights and benefits provided by the Federal Employees Compensation Act, as amended, and to insure that employee claims are processed accurately and promptly;
- (4) assurance, in time of emergency and crisis, all essential functions vital to government operations and community services are maintained and that assistance and resources are provided, to protect life and property;
- (5) safety training in and the monitoring of performances of the operation of government-owned or leased vehicles or privately owned motor vehicles on official business through the Motorized Equipment Safety Program;
- (6) coordination of the Indian Highway Safety program on Indian Reservation;
- (7) technical assistance to Indian tribes and tribal groups on Safety Programs as requested;
- (8) administration of the Bureau Code Compliance Program;
- (9) administration of the Bureau Student Safety Program;
- (10) administration of the Safety Management Information System (SMIS);
- (11) administration and operation of the Bureau Fire Protection Program;
- (12) administration and operation of the boiler inspection program;
- (13) administration and operation of the structural safety program; and
- (14) management of EPA School Asbestos Program.

Less than 3% of these activities will be contracted in Fiscal Year 1983.

The Central Office Safety Management Staff provides Bureau-wide management, coordination of programs with other Federal Agencies, evaluation of safety programs at the field locations, and centralized support services when economy of scale considerations are involved.

The field staff (Agency and Areas) responsibilities include safety program management and providing training to all agency/tribal personnel. Most safety management functions are carried out by other program staff as a collateral duty.

Selected Workload Factors

<u>Workload Factors:</u>	<u>U/M</u>	FY 1981	FY 1982	FY 1983	FY 1984
		<u>Actual</u>	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
Accidents Reported	No.	2100	2,000	2,000	2,000
Serious Accidents Investigated	No.	15	15	15	15
Safety Program Evaluated	No.	1	1	3	3
Safety Inspections Made	No.	9,000	9,000	9,000	9,000
Operators I.D. (SF-46) Issued	No.	11,500	11,000	11,000	11,000
Emergency Preparedness Plans	No.	0	15	15	15
Claims Processed:					
Injury compensation	No.	820	800	800	800
Tort and Other	No.	42	75	75	75
Tort Claims Paid	thou.	791	1,000	1,000	1,000
Tribal Highway Safety					
Projects Funded	No.	26	26	22	22

<u>Decrease for 1984:</u>	<u>1984 Base</u>	<u>1984 Estimate</u>	<u>Decrease</u>
\$000	1,054	825	-229
(FTE-T)	(26)	(26)	(-0-)

<u>Distribution:</u>	<u>Tribe/Agency</u>	<u>Area Office</u>	<u>C.O.</u>	<u>Total</u>
\$000	-79	-116	-34	-229
(FTE/T)	(-0-)	(-0-)	(-0-)	(-0-)

The decrease in funding at all three levels represents a change in emphasis for the Safety Management program. More reliance on program staff performing safety management functions as a collateral duty will be required in FY 1984. The reductions at the Tribe/Agency and Area level are proposed based on tribal priorities and Area priorities respectively.

#### E. 638 Oversight/Cost Determination

Authorization: 25 U.S.C. 450, (the Indian Self-Determination and Education Assistance Act) authorizes the Secretary to provide grants to tribal governments to improve their governmental capacity and directs the Secretary to contract with Tribes, at their request, to operate Bureau programs. 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services to federally recognized Indians.

Objectives: To permit a better and more consistent oversight of tribal contract and grant activities and to provide intensified technical assistance to the tribes in fund accountability, management and control; to establish reasonable rates for direct and indirect program costs that provide funds to support tribal expenses incurred in managing and operating 638 programs.

Base Program: This is a new initiative in FY 1984.

<u>Increase for FY 1984:</u>	<u>1984 Base</u>	<u>1984 Estimate</u>	<u>Increase</u>
\$000	-0-	+680	+680
(FTE/T)	-0-	(18)	(+18)

The Assistant Secretary proposes to establish an organizational entity which would devote its total efforts to the oversight and evaluation of the Bureau's P.L. 93-638 contract and grant administration function to assure contract/grant fund accountability, proper delivery of services and improved management control.

The requested increase of \$680,000 and 25 positions (18 FTE-T) is being proposed for FY 1984 to provide this oversight and evaluation service. The funding will be used to support personnel located in the Bureau Central and Field Offices as well as provide funds for necessary travel.

The staff (professional and clerical support personnel) will be headquartered in Washington with some specialists duty stationed in the field. Specific guidelines and procedures will be maintained so that problem areas can be immediately addressed. The group's efforts will specifically address oversight and monitoring:

- of fiscal accountability and control of contract support expenditures;
- of proper and prompt preparation and submission of expenditure documents by tribes to meet Federal regulatory requirements;
- of field managerial and program activity to insure proper administration of contract/grant programs;
- to identify potential problem areas and to expedite remedial action;
- to provide higher visible support to field management in the resolution of difficult problems; and
- to improve the determination and negotiation of reasonable and allowable direct and/or indirect costs under P.L. 93-638 contracts and/or grants.

In order to describe the expected workload for the staff, the total number of P.L. 93-638 grants and contracts with their amounts for FY 1982 and estimates for FY 1983 and FY 1984 are outlined below:

<u>Self-Determination Grants by category</u>	(\$000) <u>FY 82</u>	(\$000) FY 83 <u>Estimate</u>	(\$000) FY 84 <u>Estimate</u>
(a) Strengthening Tribal Government	\$16,267	\$16,076	\$18,340
(b) Planning and evaluation	600	601	689
(c) Land Acquisition	102	114	129
(d) Designing of Federal programs	<u>115</u>	<u>131</u>	<u>136</u>
Total Grant Funding	\$17,084	\$16,922	\$19,294
Total Number of Grants:	(459)	(464)	(470)

The number of P.L. 93-638 contracts for FY 1982 and estimates for FY 1983 and FY 1984 based upon past performance trends and preliminary field reports are as follows:

	<u>FY 82</u>	FY 83 <u>Estimate</u>	FY 84 <u>Estimate</u>
Number of Contracts	1,152	1,160	1,180
Number of Contractors	295	300	305
Dollar amount (in thousands of dollars)	\$224,000	\$230,000	\$235,000

Among the activities contracted are: Education, Indian Services Irrigation Operations, Economic Development, Natural Resources, and some Trust Responsibilities services programs.

Object Class Distribution - Management and Administration Subactivity

<u>Position Title</u>	<u>Grade</u>	<u>Number</u>	<u>Annual Salary</u>
Self-Determination Grant/ Contract Specialists.....	9/14	+23	\$ +715,148
Secretary.....	5	+ 2	+29,414
Subtotal .....		+25	+744,562
Less Lapse (- 30%).....		-7	-228,562
Total Personnel Compensation (FTE-T).....		+18	+516,000
Personnel Benefits.....			+51,000
Travel and transportation of persons.....			+48,000
Standard level users charge.....			+15,000
Communications, utilities & other rent.....			+1,087,000
Printing and reproduction.....			+85,000
Other services.....			+1,467,000
Total.....			<u>+ \$3,269,000</u>

Justification of Program and Performance

Activity: General Administration  
 Subactivity: Employee Compensation Payments

(Dollar Amounts in Thousands)

<u>Program Elements</u>		<u>1983</u> Approp. Enacted to date	<u>FY</u> 1984 Base	<u>FY</u> 1984 Estimate	<u>Inc. (+)</u> <u>Dec. (-)</u> From 1983	<u>Inc. (+)</u> <u>Dec. (-)</u> From Base
A. Employee Compensation Payments	\$ (FTE-T)	4,582 (--)	4,829 (--)	4,829 (--)	+247 (--)	-0- (--)
B. Unemployment Compensation	\$ (FTE-T)	-0- (--)	2,000 (--)	2,000 (--)	+2,000 (--)	(--) (--)
Total Requirements	\$ (FTE-T)	4,582 (--)	6,829 (--)	6,829 (--)	+2,247 (--)	(--) (--)
<u>Distribution:</u>						
Other Administrative Programs	\$	4,582	6,829	6,829	+2,247	(--)

EMPLOYEE COMPENSATION PAYMENTS

Authorization: 5 U.S.C. et. seq. 39 Stat. 742. The Federal Employees's Compensation Act of September 7, as amended, provides compensation for disability or death and full medical care for civilian officers and employees of the U.S. Government who suffer injuries or occupational illnesses in the performance of their duties.

Objective: To provide for repayments of charges to the Department of labor Federal Employees' Compensation Fund.

Base Program: The base program funding (\$4,829,000) provides reimbursement to the Department of Labor for FY 1984 charges to the Employees' Compensation Fund. The increased amount is due to increased medical benefits, higher salary levels, cost of living increase, cost of escalating medical care and health plans.

UNEMPLOYMENT COMPENSATION

Authorization: P.L. 96-499. The Omnibus Reconciliation Act of 1980, requires that each Federal agency pay the cost of regular and extended benefits paid to its former employees by State employment security agencies for Federal service performed after December 31, 1980, and deposit such payments quarterly into the Federal Employee Compensation account in the U.S. Treasury.

Objective: To provide repayment of unemployment compensation charges to the Department of Labor.

Base Program: The base program funding of (\$2,000,000) provides reimbursement to the Department of Labor for unemployment compensation payments to former Federal employees who are eligible for compensation benefits if affected by reduction in force, expiration of temporary appointment, and resignation due to permanent change in station. The program funds in previous years were obtained from savings realized in personal services and various bureau programs.

Justification of Program and Performance

Activity: General Administration

Subactivity: Program Management

(Dollar Amounts in Thousands)

<u>Program Elements</u>		1983 Approp. Enacted to date	FY 1984 Base	FY 1984 Estimate	Inc. (+) Dec. (-) From 1983	Inc. (+) Dec. (-) From Base
A. Construction Management	\$ (FTE-T)	3,764* (77)	2,130* (73)	2,130* (73)	-1,634 (-4)	(--) (--)
B. Road Const. Management	\$ (FTE-T)	1,244 (13)	1,223 (12)	1,223 (12)	-21 (-1)	(--) (--)
C. Education Program Mgmt.	\$ (FTE-T)	2,233 (54)	2,167 (51)	2,167 (51)	-66 (-3)	(--) (--)
Total Requirements	\$ (FTE-T)	7,241 (144)	5,520 (136)	5,520 (136)	-1,721 (-8)	(--) (--)

Distribution

Central Office

Staff Operations	\$	7,241	5,520	5,520	-1,721	(--)
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\* 1,500 for FACCOM, et. al. transferred to Facilities Management from Program Management (Construction Management) in 1984.

Construction Management

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including construction of facilities to support operating programs to federally recognized Indians.

Objective: To provide for the management of a program to plan, design, construct, and repair adequate and safe facilities in eligible Indian communities.

Base Program (\$2,130,000): It is the responsibility of the Bureau to provide adequate and safe facilities to eligible Indian communities. Management and accomplishment of the responsibility requires personal services, equipment, travel, management and accountability systems and general logistical needs. Funds for FACCOM, et. al. (\$1,500,000) have been transferred to the Facilities Management activity for FY 1984. This change is to put the FACCOM operation in the Activity which is the principal beneficiary of the program efforts. The Bureau of Indian Affairs has identified approximately 55 facilities improvement and repair projects for construction in FY 1984 along with the continued construction of the Hopi Junior/Senior High School. During FY 1983, the Bureau will manage approximately 80 construction projects. These activities require the services of Bureau staff for the purpose of identifying projects, contracting with vendors for design, construction and construction supervision, and managing and reviewing all phases of the overall process. Bureau staff also provide for the proper equipping of school facilities. Bureau architects, engineers and contract specialists are used in monitoring the contracted activities.

Bureau staff also develop, operate and maintain management information systems for the Construction (B&U) and Facility Management projects.

During FY 1984 the Bureau will be developing other architectural and engineering designs for construction projects to be constructed in FY 1985.

Increase/Decrease 1984:

<u>Program</u>		FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
Construction	\$	2,130	2,130	(--)
Management	(FTE/T)	(73)	(73)	(--)

Road Construction Management

Authorization: 25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including management of road construction programs for federally recognized Indians. This includes road construction programs under the Department of Transportation budget (Highway Trust Fund) as well as the Department of the Interior budget.

Objective: To provide for the management of a program to plan, design, construct, and maintain adequate and safe roads to federally recognized Indians.

Base Program (\$1,223,000): It is the responsibility of the Bureau to provide public roads serving Indian reservations for safe and convenient transportation of people and goods. Management and accomplishment of the responsibility at the Central Office level requires personal services, equipment, and travel to make management project quality control reviews and to provide technical assistance to Areas and Agencies. Technical assistance includes bridge inspection, bridge design, road inventories, mapping, and computerized roadway design programs.

Increase/Decrease for FY 1984:

<u>Program</u>		FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
Road Construction	\$	1,223	1,223	(--)
Management	(FTE-T)	(12)	(12)	(--)

Education Program Management

Authorization: 25 U.S.C. 2008-2325, the Education Amendments of 1978, (P.L. 95-561) provides for line authority administration of all Indian Education Programs by the Office of Indian Education Programs (OIEP). The law also mandates responsibilities for direct formula funding to Bureau elementary and secondary schools, and emphasizes local decision-making for Indian School Boards.

Objectives: To provide direction and control by establishing or revising Education policies and/or procedures that will result in the provision of a comprehensive and quality education program meeting specialized learning

needs of Indian students not attending public or sectarian schools. These needs include bilingual/bicultural education, as well as residential care programs with developmental guidance; and, allocating fiscal resources for the operation of kindergarten, elementary, secondary and post-secondary school programs/services, either directly by the Bureau or by Tribal contract.

Base Program (\$2,167,000): The Director, Office of Indian Education Programs provides line direction for all OIEP programs and systems through field line officers. The OIEP Director's authorities and responsibilities include policy analysis, formulation, and implementation; management systems development, implementation and evaluation; program planning, oversight and evaluation; allocation and expenditure of appropriated and flow-through funds; and personnel management of education staff at all levels of the organization.

The Director exercises line authority and control for Area Office education programs which, in turn, supervise bureau off-reservation residential schools as well as peripheral dormitories housing Indian students attending public schools; Agency Office education programs which supervise the operation of local on-reservation schools and peripheral dormitories; and Bureau post-secondary institutions. The OIEP Director is assisted by a Deputy Director and three Assistant Directors.

Increase/Decrease for FY 1984:

(Dollar Amounts in Thousands)

<u>Program Elements</u>		FY 1984 <u>Base</u>	FY 1984 <u>Estimate</u>	Inc. (+) Dec. (-) <u>From Base</u>
C. Education	\$	\$2,167	2,167	(--)
Program Mgmt.	(FTE/T)	(51)	(51)	(--)

Bureau of Indian Affairs  
Summary of Requirements by Object Class  
(dollar amounts in thousands)

Appropriation: Operation of Indian Programs (Direct Program)

Object Class:	1984 Base		1984 Estimate		Inc. (+) or Dec. (-)	
	FTE	Amount	FTE	Amount	FTE	Amount
Personnel compensation:						
11.1 Permanent positions . . . . .	10,505	217,656	10,392	216,324	- 113	- 1,332
11.3 Positions other than permanent . . . . .	2,354	39,299	2,174	36,537	- 180	- 2,762
11.5 Other personnel compensation . . . . .		9,697		9,326		- 371
Total personnel compensation . . . . .	12,859	266,652	12,566	262,187	- 293	- 4,465
12.1 Personnel benefits . . . . .		30,553		30,110		- 443
13.0 Benefits for former personnel . . . . .		2,099		2,099		---
21.0 Travel and transportation of persons . . . . .		12,044		11,450		- 594
22.0 Transportation of things . . . . .		8,170		7,840		- 330
23.1 Standard level users charge . . . . .		7,200		7,215		+ 15
23.2 Communications, utilities & other rent . . . . .		9,712		10,445		+ 733
24.0 Printing and reproduction . . . . .		734		709		- 25
25.0 Other services . . . . .		352,654		357,773		+ 5,119
26.0 Supplies and materials . . . . .		45,760		44,210		- 1,550
31.0 Equipment . . . . .		6,550		6,180		- 370
32.0 Lands and structures . . . . .		1,841		1,750		- 91
41.0 Grants, subsidies, & contributions . . . . .		107,981		101,547		- 6,434
Total Requirements (Direct Program)	12,859	851,950*	12,566	843,515*	- 293	- 8,435

\* Includes \$2,000,000 in obligations from prior year unobligated balances; actual new Budget Authority requested in FY 1984 is \$841,515,000 and the 1984 Base is \$849,950,000.

BIA-228

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)

14-2100-0-1-999	82 Actual	83 Estimate	84 Estimate
<u>Program by Activities:</u>			
Direct program:			
1. Education.....	263,208	266,793	249,068
2. Indian services.....	235,363	244,865	244,881
3. Economic development and employment programs.....	52,032	59,821	65,535
4. Natural resources development.....	85,570	85,241	89,283 <sup>1/</sup>
5. Trust responsibilities.....	43,605	46,600	44,055
6. Facilities management.....	82,118	89,872	88,910
7. General administration.....	61,646	60,785	61,783
Total direct program.....	823,542	853,977	843,515
<u>Reimbursable program:</u>			
Direct program:			
1. Education.....	30,025	31,400	31,400
2. Indian services.....	568	600	600
3. Economic development and employment programs.....	12	51	51
4. Natural resources development.....	580	600	600
5. Trust responsibilities.....	72	100	100
6. Facilities management.....	12,820	13,500	13,500
7. General administration.....	823	600	600
Total, reimbursable program.....	44,900	46,851	46,851
10.00 Total obligations.....	868,442	900,828	890,366
<u>Financing:</u>			
Offsetting collections from:			
11.00 Federal funds.....	-41,667	-37,000	-37,000
14.00 Non-Federal sources.....	-6,208	-10,000	-10,000
21.40 Unobligated balance available, start of year.....	-56,404	-36,327	-33,476
24.40 Unobligated balance available, end of year.....	36,327	33,476	31,625
25.00 Unobligated balance lapsing.....	28,082	---	---
39.00 Budget authority.....	828,572	850,977	841,515

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)

14-2100-0-1-999	82 Actual	83 Estimate	84 Estimate
<u>Budget authority:</u>			
40.00 Appropriation.....	828,572	843,508	841,515
44.10 Supplemental for wage-board pay raises.....	---	2,954	---
44.20 Supplemental for civilian pay raises.....		4,515	---
<hr/>			
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	820,567	853,828	843,366
72.10 Receivables in excess of obligations, start of year.....	-8,454	-11,183	---
72.40 Obligated balance, start of year....	198,982	213,527	233,662
74.10 Receivables in excess of obligations, end of year.....	11,183	-----	-----
74.40 Obligated balance, end of year.....	-213,527	-233,662	-268,515
77.00 Adjustments in expired accounts.....	6,876	---	---
<hr/>			
90.00 Outlays, excluding pay raise supplemental.....	815,627	815,340	808,214
91.10 Outlays from wage-board pay raise supplemental.....	---	2,830	124
91.20 Outlays from civilian pay raise supplemental.....	---	4,340	175
<hr/>			
Distribution of outlays by account:			
Resources management.....	24	---	---
Operation of Indian programs.....	815,603	822,510	808,513

1/ Includes \$913 thousand in 1984 for activities previously financed from: Department of the Interior, U. S. Fish and Wildlife Servicesd Resources Management, 1982 - 913; 1983 - 913.

Bureau of Indian Affairs  
OPERATION OF INDIAN PROGRAMS

Object Classification (in thousands of dollars)

Identification code:	1982	1983	1984
14-2100-0-1-999	Actual	Estimate	Estimate
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	219,631	217,656	216,324
11.3 Other than full-time permanent.....	40,246	39,299	36,537
11.5 Other personnel compensation.....	9,832	9,697	11,304
11.8 Special personal services payments....	<u>2,420</u>	---	---
11.9 Total personnel compensation.....	272,301	266,652	262,187
12.1 Personnel benefits: Civilian.....	28,070	30,553	30,110
13.0 Benefits for former personnel.....	2,683	3,000	2,099
21.0 Travel and transportation of persons..	11,088	12,044	11,450
22.0 Transportation of things.....	7,592	8,247	7,840
23.1 Standard level user charges.....	8,163	8,000	7,215
23.2 Communications, utilities, and rent...	10,041	10,987	10,445
24.0 Printing and reproduction.....	687	746	709
25.0 Other services.....	333,214	351,183	357,773
26.0 Supplies and materials.....	42,813	46,504	44,210
31.0 Equipment.....	5,985	6,501	6,180
32.0 Lands and structures.....	1,695	1,841	1,750
33.0 Investments and loans.....	1	---	---
41.0 Grants, subsidies, and contributions..	99,161	107,719	101,547
42.0 Insurance claims and indemnities.....	53	---	---
44.0 Refunds.....	<u>-5</u>	---	---
99.0 Subtotal, direct obligations.....	<u>823,542</u>	<u>853,977</u>	<u>843,515</u>
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	9,240	12,241	12,337
11.3 Other than full-time permanent.....	5,746	5,538	5,620
11.5 Other personnel compensation.....	<u>582</u>	<u>390</u>	<u>323</u>
Total personnel compensation.....	15,568	18,169	18,280
12.1 Personnel benefits: Civilian.....	1,598	1,869	1,881
13.0 Benefits of former personnel.....	76	---	---
21.0 Travel and transportation of persons..	1,490	1,445	1,438
22.0 Transportation of things.....	555	538	536
23.2 Communications, utilities, and rent...	1,212	1,176	1,171
24.0 Printing and reproduction.....	99	96	96
25.0 Other services.....	19,591	19,078	18,990
26.0 Supplies and materials.....	4,078	3,955	3,936
31.0 Equipment.....	542	525	523
41.0 Grants, subsidies and contributions...	91	---	---
99.0 Subtotal, reimbursable obligations..	<u>44,900</u>	<u>46,851</u>	<u>46,851</u>
99.9 Total Obligations.....	<u>868,442</u>	<u>900,828</u>	<u>890,366</u>

Bureau of Indian Affairs  
OPERATION OF INDIAN PROGRAMS

Personnel Summary

Identification code:	1982	1983	1984
14-2100-0-1-999	Actual	Estimate	Estimate
<b>Direct:</b>			
Total number of full-time permanent positions.....	10,797	10,485	10,392
Total compensable workyears:			
Full-time equivalent employment..	13,058	12,839	12,566
Full-time equivalent of overtime and holiday hours.....	442	421	404
Average ES salary.....	\$58,500	\$63,800	\$63,800
Average GS grade.....	7.78	7.78	7.80
Average GS salary.....	\$18,882	\$19,071	\$19,262
Average salary of ungraded positions.	<u>\$20,093</u>	<u>\$20,294</u>	<u>\$20,497</u>
<b>Reimbursable:</b>			
Total number of full-time permanent positions.....	586	771	730
Total compensable workyears:			
Full-time equivalent employment..	932	1,182	1,122
Full-time equivalent of overtime and holiday hours.....	18	18	14
Average ES salary	\$58,500	\$63,800	\$63,800
Average GS grade.....	7.78	7.78	7.78
Average GS salary.....	\$18,882	\$19,071	\$19,262
Average salary of ungraded positions.	\$20,093	\$20,294	\$20,497

BUREAU OF INDIAN AFFIARS

Status of and Request for Budgetary Resources

Account: Construction 14X2301

FY 1983 Budgetary Status

Budget authority available:	
Appropriation realized.....	\$ 67,250,000
Prior-year unobligated balance brought forward.....	64,699,444
Anticipated recovery of prior-year obligations.....	---
Total BA available for obligation.....	<u>\$131,949,444</u>
Less anticipated obligations (by activity):	
1. Buildings and utilities.....	\$-76,091,420
2. Irrigation systems.....	-24,691,200
3. Land acquisition.....	<u>-1,166,824</u>
Total anticipated obligations	<u>-\$101,949,444</u>

FY 1984 Request

Anticipated unobligated balance brought forward.....	\$30,000,000
Plus increases proposed (by activity):	
1. Buildings and utilities.....	\$+50,550,000
2. Irrigation systems.....	+5,325,000
3. Land acquisition.....	---
Total increase proposed.....	<u>\$+55,875,000</u>
Total anticipated BA available for obligation.....	<u>\$ 85,875,000</u>

BUREAU OF INDIAN AFFAIRS  
Analysis of Budgetary Resources by Activity

Account: Construction

Activity	FY 1982 Appropriation	FY 1983 Appropriation	FY 1984 Appropriation	FY 1984 Inc.(+)/Dec.(-) from 1983 Appropriation
<b>1. Buildings &amp; Utilities</b>				
BA available for obligation:				
Appropriation.....	\$48,436,000 <u>a/</u>	\$48,350,000	\$50,550,000	\$ +2,200,000
Unoblig. bal. brt. fwd.....	51,203,271	43,113,175	15,371,755	-27,741,420
Total BA available.....	99,639,271	91,463,175	65,921,755	-25,541,420
Less obligations.....	-56,526,096	-76,091,420	-56,996,455	+19,094,965
Unoblig. balance carried fwd..	\$43,113,175	\$15,371,755	\$ 8,925,300	\$ -6,446,455
	(FTE-T)                      (--)	(FTE-T)                      (--)	(FTE-T)                      (--)	(FTE-T)                      (--)
<b>2. Irrigation Systems</b>				
BA available for obligation:				
Appropriation.....	\$46,192,000	\$18,900,000	\$ 5,325,000	\$-13,575,000
Unoblig. bal. brt. fwd.....	8,861,840	20,419,445	14,628,245	-5,791,200
Total BA available.....	55,053,840	39,319,445	19,953,245	-19,366,200
Less obligations.....	-34,634,395	-24,691,200	-8,878,545	+15,812,655
Unoblig. bal. carried fwd....	\$20,419,445	\$14,628,245	\$11,074,700	\$ -3,553,545
	(FTE-T)                      (87)	(FTE-T)                      (87)	(FTE-T)                      (87)	(FTE-T)                      (87)
<b>3. Land Acquisition</b>				
BA available for obligation:				
Appropriation.....	\$        ---	\$        ---	\$        ---	\$        ---
Unoblig. bal. brt. fwd.....	1,166,955	1,166,824	---	-1,166,824
Total BA available.....	1,166,955	1,166,824	---	-1,166,824
Less obligations.....	-131	-1,166,824	---	+1,166,824
Unoblig. bal. carried fwd....	\$ 1,166,824	\$        ---	\$        ---	\$        ---
	(FTE-T)                      (--)	(FTE-T)                      (--)	(FTE-T)                      (--)	(FTE-T)                      (--)
<b>Account Total</b>				
BA available for obligation:				
Appropriation.....	\$94,628,000 <u>a/</u>	\$67,250,000	\$55,875,000	\$-11,375,000
Unoblig. bal. brt. fwd.....	61,232,066	64,699,444	30,000,000	-34,699,444
Total BA available.....	155,860,066	131,949,444	85,875,000	-46,074,444
Less obligations.....	-91,160,622	-101,949,444	-65,875,000	+36,074,444
Unoblig. balance carried fwd..	\$64,699,444	\$30,000,000	\$20,000,000	\$-10,000,000
	(FTE-T)                      (87)	(FTE-T)                      (87)	(FTE-T)                      (87)	(FTE-T)                      (87)

a/ Includes FY 1982 Supplemental of \$1,000,000 for Black Mesa School.

Justification of Program and Performance

Account: Construction  
Activity: Buildings & Utilities

(Dollars in thousands)

	1983 Appropriation to Date	FY 1984 Estimate	Inc. (+) or Dec. (-)
Education Projects	2,500	14,550	+12,050
Non-Education Construction	1,300	-0-	- 1,300
Advanced Planning & Design	200	-0-	-200
Facility Improvement & Repair	<u>44,350</u>	<u>36,000</u>	<u>-8,350</u>
Total Buildings and Utilities	48,350	50,550	+2,200

Authorizations:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services including construction of facilities to support operating programs to Federally recognized Indians.

25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act) in Section 458 authorizes construction of public school facilities serving Indian children and permits expending not more than 25% of any funds appropriated for construction of previously private schools.

25 U.S.C 631-640 Section 631 permits use of funds to construct facilities for programs serving the Navajo and Hopi Tribes.

Overview of the Buildings & Utilities Program:

The major thrust of the construction buildings and utilities subactivity has shifted primarily from one of building new facilities to improving and repairing existing facilities. The following table illustrates this trend:

Construction Projects & Facility Improvement & Repair Program  
History for Fiscal Year 1979-1983

	<u>FY 1979</u>		<u>FY 1980</u>		<u>FY 1981</u>		<u>FY 1982</u>		<u>FY 1983</u>		<u>TOTAL</u>	
	<u>No.</u>	<u>(\$000)</u>	<u>No.</u>	<u>(\$000)</u>								
A. Construction Projects:												
1. Education	9	\$34,055	9	\$31,508	8	\$45,702	2	\$4,590	1	\$ 2,700	29	\$118,555
2. Non-Educ.	13	38,558	1	225	2	1,362	3	4,823	1	1,300	20	46,268
Total	22	\$72,613	10	\$31,733	10	\$47,064	5	\$9,413	2	\$ 4,000	49	\$164,823
B. FI&R	57	\$ 4,792	21	\$10,875	20	\$23,800	67	\$38,023	80	\$44,350	245	\$121,840
C. Program Mgmt.		\$ 2,210		\$ 2,117		\$ 2,253		(\$ 2,731)a/		(\$ 3,764) a/b/		\$ 6,580
D. TOTAL		\$79,615		\$44,725		\$73,117		\$47,436		\$48,350		\$293,243
												Funded Through General Administration Activity + 6,495
												\$299,738

a/ Excluded from Totals -- Program Management funding transferred by Congressional action from Construction Activity to General Administration Activity beginning in FY 1982.

b/ Includes \$1,500,000 for FACCOM, Construction Supervision, and Boiler Inspection Programs assumed from the Department in FY 1982.

A. Facility Improvement and Repair Program (\$36,000,000)

Bureau Facility Improvement and Repair (FIR) priorities are to:

1. Continue the Boiler Repair and Emergency Repair Programs;
2. Reduce facility improvement and repair needs with emphasis on critical life safety needs;
3. Consolidate underutilized facilities, particularly school plants, to maximize use of existing facilities and to defer some of the continuing costs of repair, operation and maintenance;
4. Replace or refurbish obsolete facilities through alternative consideration of the Facilities Improvement and Repair Program (e.g. renovation, improvements, demolitions or additions).

Given a background of general facility deterioration, as indicated by the results of the 1979 facilities inventory and subsequent inspections, the Bureau has concluded that repair of needed but unsafe or otherwise deficient schools and other facilities directly serving Indian people (and where the potential Federal liability for inaction is considerable) be given priority over new construction. It is also apparent that there are opportunities for cost savings through consolidation of facilities which are underutilized, critically unsafe, and/or too expensive to maintain.

Further studies of schools and other facilities on or near the various reservations are to be undertaken to determine which facilities can be consolidated and/or closed and which should be repaired or remodeled.

For FY 1984 the Bureau has identified about \$418,500,000 in total facility improvement and repair costs, of which \$10,500,000 in repair and improvement were costs identified in a FY 1982/1983 survey of Law & Order Facilities relevant to requirements of the 1974 Juvenile Justice and Delinquency Prevention Act; and about \$148,000,000 in total replacements. Also a survey of previously private schools will be completed by early FY 1984, which will add an unestimated but significant amount to the FI&R backlog. Requirements concerning energy use reduction, handicapped renovation, life safety code violations, and other functional deficiencies are included in the Facility Improvement and Repair category of construction needs. Various structures, which because of prohibitive costs to update or renovate, will be demolished and replaced.

Approximately \$428,500,000 in total facility improvement and repair costs were anticipated for FY 1984. The Quarters Improvement and Repair Program, instituted in FY 1982 and funded by income from quarters rentals, will reduce the total FI&R backlog need by approximately \$10,000,000 through FY 1983. This program will be accelerated as quarters rentals increase. The categories into which the total Construction B & U backlog fall are shown as follows:

<u>Building Type</u>	<u>Square Feet</u>	<u>Percent of Total</u>
Academic	9,839,115	33.63
Dormitory & Ancillary	6,220,974	21.26
Quarters & Mobile Qtrs	7,152,105	24.45
Non-Educ. (Admin., Law & Order, Maint., etc.)	1,567,800	5.36
All other support (Warehouses, Forestry, Fire Stations, etc.)	4,476,573	15.30
TOTALS	29,256,567	100.00

- B. Education New Construction Projects (\$14,550,000) The justification for the Education Projects for FY 1984 funding is contained in this material. See detailed justification.
- C. Non-Education Construction (\$0) -Funding levels available for new construction did not permit requests for this category in FY 1984. Estimated project cost requests in FY 1983 approximated \$45,000,000.
- D. Advance Planning and Design (\$0) -Since new construction starts are not anticipated in FY 1985, funding in this category has not been requested.

EDUCATION CONSTRUCTION

Authorizations: Same authorizations as first page of this section.

Proposal: Plan, design and construct new school facilities.

Justification:

It is the responsibility of the Bureau of Indian Affairs to provide adequate and safe educational facilities to eligible communities within the authority structure quoted. Schools may be Bureau operated or contract operated by tribal organizations.

The following table lists all of the Bureau's current on-going education construction projects:

<u>School Name</u>	<u>Appropriation FY</u>	<u>% Completed</u>	<u>Total Amount of Appropriation</u>
Black Mesa (Design)	1981	16%	\$ 231,000
Black Mesa (Construc.)	1982 Supp.	--	1,000,000
Bug-O-Nay-Ge-Shig	1981	45%	3,962,000
Hopi Jr/Sr High *	1981	--*	5,720,000
Little Eagle (Design)	1981	95%	145,000
Little Eagle (Construc.)	R-1983	--	3,360,500
San Simon (Design)	R-1983	90%	312,000
Alamo (Design)	R-1982	12%	550,000
Indian Island (Design)	1982	20%	240,000
American Horse	1980	97%	4,565,000
Ft. Totten	1980	90%	14,812,000
Turtle Mountain	1980	26%	10,799,000
Red Rock	1980	100%	3,534,000
San Felipe	1980	99%	2,107,000
Torreon	1980	94%	4,324,000
Navajo Mountain	1981	49%	8,484,000
Moencopi	1981	14%	1,756,000
Rough Rock	1981	-0-	3,980,000

\*Must be redesigned in FY 1983.

R=Reprogrammed

Within this proposal \$14,550,000 will be used to complete the final phase of the Hopi-Junior High School in FY 1984. Description of this school follows:

EDUCATION CONSTRUCTION PROJECT JUSTIFICATION:

ARIZONA - Hopi Reservation	<u>Cost in Thous.</u>
<u>Project Title:</u> Hopi Junior-Senior High School	\$14,550

Need:

There is presently no secondary school, either Bureau or public, operating on the Hopi Reservation. Hopi secondary students must attend boarding facilities off the reservation at locations such as Phoenix, Arizona and Riverside, California, or must attend school at one of the three nearby off-reservation locations: Winslow, Ganado, or Tuba City. These three off-reservation schools are 77 to 87 miles from the site of the new Hopi Junior-Senior High School which is centrally located on the Hopi Reservation.

Description: Funding for design of this project was provided in FY 1978. FY 1981 appropriations provided \$5,720,000 for site preparation for this school. An access road was built at a cost, including supervision and contingencies, of \$564,355. A total of \$1,100,000 has been approved for reprogramming from the FY 1981 appropriation for costs of redesign for 800 students. A summary of funding for Phase I of the program follows:

Appropriated -- FY 1981		\$ 5,720,000
Access road	-564,355	
Carry over from FY 1981		5,155,645
Appropriated -- FY 1983		+2,500,000
Available -- FY 1983		7,655,645
Redesign of project through P.L. 93-638 contract with tribe (FY 1983)	-1,100,000	
Carryover from FY 1983		6,555,645
Requested -- FY 1984		14,550,000
Available -- FY 1984		21,105,645
Projected costs for Phase I:		
construction of academic building	-13,600,000	
site preparation & utility develop- ment (less paving & landscaping)	-2,500,000	
supervision & contingencies	-2,046,000	
equipment	-1,980,000	
		-20,126,000
Carryover from FY 1984 (Estimate)		\$ 979,645

Funds will be requested in future years to complete the remaining features of this project, i.e., construction of a gymnasium, auditorium and staff housing, site preparation for the housing, paving and landscaping and supervision and contingencies. The total estimated cost of the project is \$31,000,000.

## FACILITY IMPROVEMENT AND REPAIR

### Authorization:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services, including the repair, renovation and improvement of facilities to support operating programs to Federally recognized Indians.

### Proposal:

Within this \$36,000,000 proposal are funds for the design and accomplishment of essential facility repair and for improvement at various sites within the responsibility of the Bureau. Included are needed repair tasks; updating buildings and utilities to correct existing functional or unsafe and/or unsanitary conditions; and bringing various structures up to the regulatory requirements for energy conservation and the handicapped.

### Justification:

In addition to accomplishing needed repair and improvements, correcting functional deficiencies and modernizing to meet today's standards, there are requirements for compliance with the specifically mandated programs concerning safety, environmental protection, energy conservation and the handicapped. The need for Facility Improvement and Repair projects will continue until facilities can be repaired and improved to an acceptable level or condition where they can be maintained under a normal maintenance program.

Repair projects are selected by Area priority from the Facility Improvement and Repair Backlog. An annual boiler inspection program has been implemented; funds are necessary for their repair or replacement for continued safe operation. Funds are included under advance design to facilitate obligation of future year repair and improvement funds.

Construction obligations for Facilities Improvement and Repair (FI&R) projects for Fiscal Year 1982 are detailed by state in the following table.

FY 1982 - FI&R OBLIGATIONS

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Alaska	Bethel Agency Headquarters	Correct life safety, handicap & functional deficiencies in 9 buildings.	\$ 425,586
Alaska	Napaskiak	To State for correction of code & functional deficiencies in 2 buildings & on site.	302,164
Alaska	Nunapitchuk	Heating, insulation, life safety, handicap, repair foundation & boiler in 3 buildings.	698,880
Alaska	Stebbins School	To State for correction of life safety & handicap deficiencies in 1 building & site work.	431,664
Alaska	Tetlin	Correction of code deficiencies, refurbish kitchens, insulation & lighting in 3 bldgs.	425,600
Alaska	Venetie	Correction of code deficiencies, refurbish kitchens, replace boilers, insulation & lighting in 3 buildings.	<u>405,440</u>
Total for ALASKA			\$2,689,334
<hr/>			
Arizona	Casa Blanca	Correction of code deficiencies, lighting, & insulation in 4 buildings & provide site parking.	Included w/Sacaton
Arizona	Gila Crossing	Correction of code deficiencies, functional modification in 7 buildings.	Included w/Sacaton
Arizona	Sacaton	Correction of code deficiencies, functional modifications to 1 bldg. & site improvements.	\$ 611,000
Arizona	Colorado River	Site improvements, correct code deficiencies in 5 buildings, demolish 11 buildings, & construct 1 new structure.	468,000
Arizona	Cove Day School	Correct code deficiencies in 10 bldgs., repair gas distribution system & install fire hydrants.	403,000
Arizona	Crystal	Correct handicap code deficiencies, insulate buildings & install fire protection systems in 6 buildings.	592,000
Arizona	Fort Apache	Boiler repair.	164,800
Arizona	Hotevilla	Correct code, functional & energy deficiencies in 3 buildings.	Included w/Sec. Mesa
Arizona	Polacca	Correct code, functional & energy deficiencies in 7 buildings.	Included w/Sec. Mesa
Arizona	Second Mesa	Correct code & energy deficiencies in 5 buildings, correct code deficiencies & insulate 4 buildings.	\$ 533,000

FY 1982 - FI&R OBLIGATIONS (Continued)

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Arizona	Hunters Point	Correct code deficiencies & insulate 4 bldgs.	786,000
Arizona	Kayenta	Facilities for handicap, energy modifications, refinish interior in 4 buildings, & grade site for drainage.	684,787
Arizona	Keams Canyon	Correct code, energy & functional deficiencies in 29 buildings.	713,048
Arizona	Many Farms	Correct life safety, handicap & energy deficiencies in 4 buildings	1,613,901
Arizona	Pima Agency	Boiler repairs.	182,650
Arizona	Pinon	Correct handicap & energy deficiencies in 2 buildings & demolish 3 buildings.	189,877
Arizona	Rock Point	Correct energy & handicap deficiencies, modify heat distribution system & re-roof 4 bldgs.	358,472
Arizona	Rocky Ridge	Power transmission line.	696,983
Arizona	Sacaton	Replace sewer system, correct safety, handicap & energy deficiencies & add kitchen & dining room to Bldg. 81.	681,300
Arizona	Santa Rosa	Correct handicap, functional & electrical deficiencies in 4 buildings.	Included w/Sells
Arizona	Sells Head-quarters	Correct safety, handicap, electrical, functional & mechanical deficiencies in 29 buildings & demolish 8 buildings.	269,700
Arizona	Teec Nos Pos	Correct life safety, handicap, functional & energy deficiencies in 6 buildings, correct electrical & mechanical deficiencies in 5 buildings, & site improvements	<u>2,273,000</u>
Total for ARIZONA			\$11,221,518
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California	Hoopla Agency Headquarters	Correct safety, energy, functional & code deficiencies in 27 buildings.	\$ 893,150
California	Klamath Area Field Office	Correct safety, handicap & functional deficiencies in 8 buildings.	<u>94,500</u>
Total for California			\$ 987,650

FY 1982 - FI&R OBLIGATIONS (Continued)

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Colorado	Southern Ute Agcy.	Site improvements, demolish & replace 6 buildings, correct life safety, handicap, functional, electrical & mechanical code deficiencies in 12 buildings.	\$1,827,138
Total for COLORADO			\$1,827,138
Florida	Big Cypress Day School	Correct life safety, handicap, functional, electrical & mechanical deficiencies & re-roof.	\$ 139,300
Florida	Miccosukee Agency	Correct life safety, handicap, functional, electrical & mechanical deficiencies, structural repairs, repair sewer system & termite control in 4 buildings.	106,000
Total for FLORIDA			\$ 245,300
Iowa	Sac & Fox School	Correct life safety, handicap, energy, electrical & mechanical deficiencies in 4 buildings.	\$ 77,709
Total for IOWA			\$ 77,709
Minn.	Nett Lake	Correct life safety, handicap, energy, electrical & mechanical deficiencies in 4 buildings.	\$ 345,000
Total for MINNESOTA			\$ 345,000
Miss.	Choctaw Central High Sch.	Correct life safety, energy, functional, handicapped, electrical & mechanical deficiencies in 8 buildings & demolish 7 buildings.	\$ 369,571
Miss.	Choctaw Agency Hqtrs	Correct life safety, energy, functional, handicapped, electrical & mechanical deficiencies in 4 buildings & demolish 3 buildings.	735,358
Miss.	Standing Pine Day School	Correct all code deficiencies in 4 bldgs.	
	Tucker Sch.	Correct all code deficiencies in 6 bldgs.	
	Choctaw Central H.S.	Correct life safety & handicap deficiencies in 23 buildings.	
	Bogue Chitto Brdg. School	Correct all code deficiencies in 6 buildings.	
	Conehatta Sch.	Correct all code deficiencies in 6 buildings.	
	Red Water Day Sch.	Correct all code deficiencies in 5 buildings.	
	Choctaw Agcy. Hqtrs.	Correct life Safety & handicap deficiencies in 7 buildings	727,000
Total for MISSISSIPPI			\$1,831,929

FY 1982 - FI&R OBLIGATIONS (Continued)

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Montana	Crow Agency	Correct safety, handicap, energy & electrical deficiencies in 2 buildings & fumigate some buildings	\$ 346,830
Montana	Lame Deer Headquarters	Correct safety, handicap, energy, functional elec. & mech. deficiencies in 14 bldgs. & demolish 5 bldgs. & construct 2 new bldgs.	<u>503,000</u>
Total for MONTANA			\$ 849,830
<hr/>			
New Mex.	San Juan Day School San Ildefonso School Santa Clara School Taos School Tesuque Sch.	Correct all code deficiencies & site improvements for these five pueblo schools.	\$ 741,240
New Mex.	Fort Wingate Elem. Sch.	Correct life safety, energy, handicap & electrical deficiencies in 5 buildings & replace 1 boiler, & re-roof 5 buildings.	999,970
New Mex.	Mescalero	Incidental cost connected with demolish & rebuild of Roads Garage due to highway relocation.	20,000
New Mex.	Ramah Headquarters	Correct all code deficiencies in 9 buildings & replace 1 building.	<u>463,689</u>
Total for NEW MEXICO			\$2,224,899
<hr/>			
Nevada	Stewart Boarding Sch.	Close & secure buildings.	<u>\$ 138,000</u>
Total for NEVADA			\$ 138,000
<hr/>			
N. Dakota	Fort Totten	Correct all code deficiencies in 1 building.	\$ 55,831
N. Dakota	Fort Yates	Install L.P. gas boilers in 1 building & correct mechanical code deficiencies.	236,931
N. Dakota	Fort Yates	Expand and improve Water treatment plant.	1,330,000
N. Dakota	White Shield School	Correct life safety, energy & handicap modifications, replace heating & ventilating system & replace roofing.	<u>883,000</u>
Total for NORTH DAKOTA			\$2,505,762

FY 1982 - FI&R OBLIGATIONS (Continued)

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Okla.	Riverside	Remodel 5 cottage dormitories.	\$1,071,000
Okla.	Carter Seminary	Correct life safety, energy, handicap, & functional deficiencies to 6 buildings.	225,240
Okla.	Eufaula Dormitory	Correct life safety, energy, handicap & functional modifications to 5 buildings.	203,926
Okla.	Sequoyah High Sch.	BIA share of EPA financial sewage lagoon expansion.	<u>70,000</u>
Total for OKLAHOMA			\$1,570,166
<hr/>			
S. Dak.	Eagle Butte Hqtrs.	Correct safety handicap & functional deficiencies in 4 bldgs & re-roof same bldgs.	781,860
S. Dak.	He Dog Sch.	Correct safety, handicap, energy & functional deficiencies in 1 bldg.	247,800
S. Dak.	Lower Brule	Correct safety, handicap & functional deficiencies in 1 bldg & site improvements.	234,000
S. Dak.	Manderson Sch.	Correct safety, handicap & functional deficiencies in 1 bldg & site improvements.	444,444
S. Dak.	Oglala Comm. Sch.	Correct safety, handicapped & functional deficiencies in 1 bldg & site improvements.	462,000
S. Dak.	Red Scaffold	Correct safety, handicapped, energy, functional and mechanical deficiencies in 1 bldg.	196,600
S. Dak.	Rosebud Sch.	Correct safety & handicap deficiencies in 1 bldg.	198,625
S. Dak.	Sisseton	Renovate Roads Garage	75,000
S. Dak.	White Horse	Insulate, replace heating distribution, replace boiler & general repairs to 1 bldg.	<u>130,900</u>
Total for SOUTH DAKOTA			\$2,771,229
<hr/>			
Utah	Ft. Duchesne Hqtrs.	Correct safety, handicap, energy, electrical & mechanical deficiencies in 8 bldgs.	<u>\$ 80,602</u>
Total for UTAH			\$ 80,602
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Wash.	Nespelem	Correct all code deficiencies in 19 bldgs.	\$ 520,000
	Inchelium	Correct all code deficiencies in 4 bldgs.	164,000
	Mitchell Pt.	Correct all code deficiencies.	62,000

FY 1982 - FI&R OBLIGATIONS (Continued)

<u>State</u>	<u>Location</u>	<u>Project Description</u>	<u>Amount of Obligations</u>
Wash.	Keller Ranger Station	Correct all code deficiencies.	\$ 19,000
	Cody Butte	Correct all code deficiencies.	9,000
	Johnny George	Correct all code deficiencies.	10,000
	Moses Mountain	Correct all code deficiencies.	20,000
Wash.	Colville Agcy.	Correct code & functional deficiencies in Facilities Management Shop.	<u>275,000</u>
Total for WASHINGTON			\$1,079,000
<hr/>			
Wisc.	Lac Du Flambeau	Correct all code deficiencies in 2 bldgs	<u>\$ 5,000</u>
Total for WISCONSIN			\$ 5,000
<hr/>			
Wyom.	Ft. Washakie Hdqtrs.	Correct safety, handicap, energy, functional electrical & mechanical deficiencies in 2 bldgs.	\$ <u>121,431</u>
Total for WYOMING			<u>\$121,431</u>
Subtotal FY 1982 Project Obligations			\$30,571,497
Bureau-wide	Other obligations including miscellaneous minor repair (projects of \$1,200 or less), emergency repair, boiler repair, and advance planning and design.		<u>\$ 7,451,503</u>
Total FY 1982 FI&R Obligations			<u>\$38,023,000</u>

Work performed on the above projects consisted of design and construction improvements of the following general types (not all types of work were performed on each project):

General Repair: This includes all items that need repair but does not involve safety codes or proper function of building. Examples: broken door stops, inoperable door closers, worn floor tile. The distinction between general repair and correcting functional deficiencies is subject to professional maintenance interpretation.

Correct Functional Deficiencies: This is correcting those deficiencies that interfere with the proper functioning of the structure. Examples: moving partitions to provide proper traffic patterns or better classroom space, repairing furnace, replacing windows, providing adequate lighting.

Correct Code Deficiencies: This work involves correcting those deficiencies concerning building codes but not considered a threat to the safety of occupants. Examples: add bathrooms, improve ventilation.

Correct for Life Safety or Environmental Hazards: This type of work involves correcting all items that threaten the lives of occupants under normal emergency circumstances. Examples: provide fire rated exits, fire alarms, electric circuits.

Improve Handicapped Accessibility: These improvements are made through modification, remodeling, or additions to make occupied portions of the structure accessible to handicapped people in wheel chairs. Examples: ramps, restroom modifications.

Demolish: Structures which are unsafe or otherwise unfit for use, and which cannot be economically restored to useful service, must be demolished.

Emergency Repair: The item for Emergency Repair is for projects which result from unforeseen occurrences and which require immediate corrective action to allow the various Bureau programs to carry out their day to day operations. These funds are administered by the Facilities Engineering Staff and are channeled through the Area Facility Management Offices to the location for accomplishment of work. The projects are then completed via force account, emergency contract or the work involved. Examples of emergency projects: repair or replacement of mechanical and utility system components, fire or storm damage, vandalism, etc.

Boiler Repair: The Bureau of Indian Affairs' Boiler Program has 2,600 boilers and 500 L.P. tanks at 215 facilities. Minor maintenance repair is usually needed and often accomplished on about 70% of these boilers. The repairs that the Boiler Program handles are needed at about 20% of the Bureau's facilities. That means that approximately 42 facilities nationwide will need boiler program type repair. Numerically, approximately 100 boilers will need repairs that average about \$15,000 per repair or about \$1,500,000 worth of work nationwide. The program has 5 field Contracting Officer's Representatives, a program manager and assistant as well as a contract specialist working at any given time on this effort.

Advance Planning and Design: These funds are used to provide working drawings and specifications in advance of the construction year.

Quarters Improvement and Repair: The Quarters Improvement and Repair (QI&R) program was implemented by the Bureau at the end of the second quarter of FY 1982. Collections from quarters rental in FY 1982 were \$6,773,664. A total of \$6,207,863 was obligated for quarters improvement and/or repair during the remaining fiscal year period. The quarters rentals are primarily paid from program funds requested under the Operation of Indian Programs (OIP) appropriation and the program is operated as a reimbursable program under that account. The program (QI&R) is described herein because it is coordinated with the Facility Improvement & Repair program for other types of facilities.

Categories of work included general repair and improvement of quarters buildings; and code and regulatory efforts (providing for handicapped use and accessibility, improvement of energy efficiency, and correction of immediate life safety discrepancies); site improvements (including utility repair and replacement, street and general access repair); and provision of sanitation equipment. Design services of A-E firms were also purchased in preparation for the FY 1983 program. Collections, obligations, and number of sites receiving QI&R, in FY 1982 are as follows:

<u>Area</u>	<u>Collections</u>	<u>Obligations</u>	<u>No. of Sites Receiving QI&amp;R</u>
Aberdeen	\$ 919,974	\$ 869,942	8
Albuquerque	126,685	117,242	4
Anadarko	59,741	49,391	2
Billings	183,300	176,592	7
Eastern	85,422	85,137	2
Juneau	420,510	420,500	1
Minneapolis	20,532	12,988	2
Muskogee	40,246	28,402	2
Navajo	4,043,761	3,671,037	30
Phoenix	620,712	620,038	5
Portland	183,889	127,100	1
Sacramento	31,490	29,494	1
<b>TOTALS</b>	<b>\$6,736,262</b>	<b>\$6,207,863</b>	<b>65</b>

Obligations equaled 92% of the quarters rental collections.

Implementation of the Navajo Planning Study: Phase I - All 14 selected sites for advancement to the K-8 level, under the Navajo Planning, are either programmed or in A-E design. Phase I is being accomplished through conversion of existing space and/or additions to existing structures, thereby attaining the advancement to the K-8 levels through the FI&R program. The completion of this program is scheduled for final FI&R construction in FY 1985.

Phase II - Consolidation and closing of approximately 20% of the school space in the Navajo Area may be possible subsequent to completion of Phase I. Phase II may be accomplished as K-8 schools are placed in operation and can be phased in as the K-8 expansions are completed.

FI&R PROJECT JUSTIFICATION

Cost in Thous.

Project Title: Facility Improvement & Repair Program \$36,000

Need: (See Justification above)

Description:

Projects: (outlined below)		
Functional Deficiencies (Regular FI&R)	\$21,373,999	\$31,000
Requirements for the Handicapped	333,913	
Energy Conservation Program	1,796,955	
Safety	1,380,813	
Environmental Protection	2,565,058	
Consolidated/Demolition & Renovation	3,549,262	
Emergency Repair		750
Boiler Repair		1,000
Advance Planning & Design		2,500
Contract Schools FI&R (Various)		750
<b>Total FY 1984 Program</b>		<b>\$36,000</b>

Outline of proposed FY 1984 Obligations by Area and Improvement & Repair Category:

<u>Area</u>	<u>Renovation</u>	<u>Energy</u>	<u>Handicap</u>	<u>Regular</u>	<u>Safety</u>	<u>Environ.</u>
Aberdeen	932,500	191,000	20,000	4,706,390	126,000	---
Albuquerque	837,850	152,980	86,550	612,908	162,990	---
Anadarko	---	---	---	3,212,500	---	---
Billings	---	237,740	---	260,000	---	---
Eastern	814,000	---	---	2,182,550**	---	---
Juneau	---	---	---	50,000	---	---
Minneapolis	---	---	---	10,000	---	---
Muskogee	---	---	---	144,600	---	---
Navajo*	250,500	740,000	89,000	7,295,064	320,000	2,207,202
Phoenix	476,855	333,789	60,386	1,762,041	655,765	245,425
Portland	237,557	141,446	77,977	1,127,946	116,058	112,431
Sacramento	---	---	---	10,000	---	---
<b>TOTALS:</b>	<b>3,549,262</b>	<b>1,796,955</b>	<b>333,913</b>	<b>21,373,999</b>	<b>1,380,813</b>	<b>2,565,058</b>

\*Included within the Navajo Area amount is the Navajo Day School Study.

\*\*For Facilities Improvement & Repair at Indian Township School, Maine (Contract School)

Proposed FY 1984 Obligations - Percentage by Category and Area Total:

Renovation	-\$ 3,549,262	11.5%	Aberdeen	-\$ 5,975,890	19%
Energy	- 1,796,955	5.7%	Albuquerque	- 1,853,278	6%
Handicapped	- 333,913	1.2%	Anadarko	- 3,212,500	10%
Regular	- 21,373,999	68.9%	Billings	- 497,740	2%
Safety	- 1,380,813	4.4%	Eastern	- 2,996,550	10%
Environ.	- 2,565,058	8.3%	Juneau	- 50,000	0%
			Minneapolis	- 10,000	0%
			Muskogee	- 144,600	1%
			Navajo	- 10,901,766	35%
			Phoenix	- 3,534,261	11%
			Portland	- 1,813,415	6%
			Sacramento	- 10,000	0%
<b>TOTALS</b>	<b>\$31,000,000</b>	<b>100.0%</b>		<b>\$31,000,000</b>	<b>100%</b>

Benefits:

The program provides needed repair, reduces the inadequacies of the facilities, corrects unsafe and unsanitary conditions, and reduces the level of energy consumption. Primary concerns will continue to be the correction of life safety deficiencies in Bureau facilities and increased utilization of facilities through consolidation and/or demolition of underused facilities.

It is the Bureau's goal to reduce its facility stock in the next few years by approximately 5-6 million square feet of unrepairable and/or underutilized space. The consolidation and demolition contained in the FY 1983 program will reduce the net square feet by approximately 200,000 square feet. With the previous school closures (Ft. Sill, Seneca, Stewart, Chilocco) and scheduled demolitions, the total reduction will reach approximately 4,452,000 square feet with additional square feet of closure possible pending further planning studies and planned FY 1984 actions. This reduction represents approximately 75 percent of the goal

of 5-6 million square feet. The closure of Mt. Edgecumbe; the tentatively proposed closures of Intermountain, Concho and Wahpeton; and transfer of ten Alaska day schools to the State of Alaska by the end of the FY 1982-83 school year will achieve additional reductions to the facility stock by the end of FY 1984.

Inspections of high pressure boilers and tanks have been funded in past fiscal years through the Department's Office of Construction Management (formerly Facility Construction and Operation Improvement Division), a unit funded under the Office of the Secretary's budget. In FY 1983 the responsibility for the inspection program was assumed by the Bureau (Facilities Management activity under the "Operation of In ian Programs" appropriation). Annual inspections are made on 2,600 boilers and 500 L.P. tanks located at 215 sites. The \$1,000,000 described under the Facilities Improvement and Repair program will continue the actual repair and/or replacement of this equipment.

Funds for advance planning and design will be used to provide for the completion of project working drawings and specifications in advance of the proposed construction fiscal year. It improves the rate of obligation because the construction contracts can be awarded in the first and second quarters of the fiscal year. In addition, projects can be coordinated to minimize classroom disruption, allow for climatic differences (i.e., Alaska has an extreme short construction season), and provide for modifications required by curriculum changes.

Cost of Completion:

The total cost of the outlined program is \$36,000,000. As a result of additions to the backlog identified by the FY 1982/1983 surveys of the Law and Order facilities, the inclusion of contract schools, the expected deterioration rate of approximately \$40,000,000 per year, and the effects of inflation, a total repair and improvement backlog of approximately \$450,000,000 may be anticipated in FY 1985 with a continued growth in new construction needs to about \$150,000,000.

Justification of Program and Performance

Account: Construction  
Activity: Irrigation Systems

(Dollar amounts in thousands)

	FY 1983 Appropriations To Date	FY 1984 Estimate	Incr. (+) of Decr. (-)
Project Construction:			
Fallon (P.L. 95-357)	1,000	1,000	-0-
NIIP (P.L. 87-483)	3,000	-0-	-3,000
Small New Projects	9,800	-0-	-9,800
Dam Safety	3,100	1,200	-1,900
Surveys & Investigations	-0-	1,000	+1,000
Engineering and Supervision	2,000	2,125	+125
	\$18,900	\$5,325	\$-13,575

Authorization:

25 U.S.C. 13 (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides for the extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies. In addition most of the major projects have specific authorizations.

Program Summary:

The budget estimate of \$5,325,000 will provide \$1,000,000 for Fallon to implement P.L. 95-337 (92 Stat. 455); \$1,200,000 to implement the safety of the dams program as directed by Secretarial Order No. 3048 of February 28, 1980; \$1,000,000 for surveys and investigations of existing projects for feasible betterment projects and new feasible, small irrigation projects and \$2,125,000 for engineering and supervision.

Program Goals:

The primary and ultimate goal is to develop water supplies and the distribution systems needed to irrigate all acreages of Indian lands that are practical for irrigation. This involves the construction of new irrigation systems and the extension and/or rehabilitation of existing irrigation systems in order that Indian lands in the arid and semi-arid West can be developed to their full productive capacity. By doing so, this program will provide a means by which the Indians can put to beneficial use much of their valuable water.

Justification:

Funding is requested to complete construction of the Fallon Project as mandated by 1978 legislation. Details of this project are addressed in a later section.

No funding is included for the Navajo Indian Irrigation Project until there is clear evidence that additional construction will result in net benefits to the tribes.

Funding is requested for surveys and investigations to prepare feasibility evaluations and detailed plans for the rehabilitation or completion of existing projects and for proposed projects in future years.

The request for the Bureau of Indian Affairs' safety of dams program includes \$250,000 for inspections and evaluations of high and significant hazard structures; \$700,000 for rectifying known minor structural deficiencies previously found during field inspection of low hazard structures and to cover emergency repairs on structures found seriously deficient during FY 1982 and 1983 inspections.

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SUMMARY OF IRRIGATION CONSTRUCTION SYSTEMS

<u>Project</u>	<u>FY 1984 Request</u>
a. <u>Irrigation Construction</u>	
<u>Nevada</u>	
Fallon	\$ 1,000,000
b. <u>Surveys and Investigations</u>	1,000,000
c. <u>Safety of Dams</u>	1,200,000
d. <u>Engineering and Supervision</u>	<u>2,125,000</u>
	Total Request \$5,325,000

BUREAU OF INDIAN AFFAIRS  
Irrigation Construction Projects  
Fiscal Year 1984

- a. The detailed project justifications for the irrigation projects for which funds are requested are as follows:

COST  
(IN THOUS.)

NEVADA:

Project: Fallon

\$1,000

Need:

The Secretary was directed in P.L. 95-337 (92 Stat. 455) to make as his first priority the construction of irrigation works to serve the land added to the Fallon Indian Reservation and improve the existing irrigation system. At 1979 prices the total cost of the project was estimated at \$7.0 million.

Plans and specifications for the mandated facilities were prepared during FY 1980. During FY 1981 the conveyance canal into the reservation and initial drainage was completed with the \$2.0 million provided that year. The \$3.85 million in FY 1982 complete the delivery systems and some drainage works. The \$1.0 million provided in FY 1983 will be utilized for on-farm clearing leveling and the farm distribution system.

Description:

This request will provide drainage, canals, laterals and remaining on-farm land preparation to 4,877 acres.

Benefits:

Implementation of the Act will provide the irrigation works to enable the Fallon Paiute-Shoshone Indians to utilize their irrigable lands with an efficient and water conserving system. The 1906 agreement between the tribe and the United States will be fulfilled by the Act.

Cost to Complete:

It is expected that this funding request will complete the project at a total cost of \$7,850,000 for construction.

- b. Safety of Dams

\$1,200

On November 24, 1980, the Commissioner of Indian Affairs approved an agreement with the Bureau of Reclamation providing for safety of dams services by the Bureau of Reclamation in the implementation of Secretarial Order No. 3048 dated February 28, 1980. The Bureau of Reclamation will, on a reimbursable basis, provide initial inspections and evaluations of the high and significant hazard potential dams and periodic examinations and follow-up with required re-examinations and re-evaluations of the Bureau of Indian Affairs structures. In addition, it is essential that corrective work or modifications be performed for safe operation of existing dams where safety deficiencies have been and will be identified. The average age of the 49 structures in these two hazard categories is 45 years. The initial round of on-site inspection and evaluation reports are scheduled to be completed by the end of FY 1985. The magnitude of funding required will then be known and schedules for correction can be developed based upon estimated hazard liability.

The Bureau of Indian Affairs has designated an engineer at each Area Office and the Central Office to perform safety of dam activities on a part-time basis.

Following is a summary of the dam safety program proposed for FY 1984:

		(\$ Thous.)
(1)	Inspections and Evaluations	250
(2)	Structural Modifications	700
	(a) Coolidge Dam - Arizona	200
	(b) Crow Dam - Montana	300
	(c) Mescalero Dam - New Mexico	95
	(d) Tsaile Dam - Arizona	105
(3)	Inspection of low hazard dams and coordination	250
TOTAL		1,200

c. Surveys and Investigations

Surveys and Investigations are required to provide the various planning ingredients for development of new irrigation and power projects or units and for extension and rehabilitation of existing projects in future fiscal years. Engineering and soils surveys, geologic investigations and water availability determinations are essential in ascertaining physical feasibility of development. Costs and benefits are calculated for proposed developments and projects are formulated to provide Indian economic development where water is the critical element.

These surveys and investigations are performed by or under the direction of existing staff at area and project offices. Where necessary, in-house capability will be supplemented by contract.

The increase of \$1,0 million in FY 1984 to reactivate surveys and investigations will permit developmental planning for project extension and for rehabilitation of deteriorated existing project facilities. Major work components are: Designation and redesignation surveys to fix project lands to be assessed \$172,000; irrigation suitability determinations for lands added to Ft. Yuma Indian Reservation - \$254,000; Fish ladder design and low-headed hydro feasibility at Yakima - \$225,000; rehabilitation evaluations at Ft. Hall and XL Ranch - \$127,000; and \$222,000 for hydrology and soils analyses at several locations.

d. Engineering and Supervision

\$2,125

This item represents funds for salaries, travel, and operational expenses for project engineering, design, and construction supervision. Most staff employees engaged in these activities are located in Bureau field offices and are headquartered in Albuquerque, New Mexico; Billings, Montana; Phoenix, Arizona; Portland, Oregon; Sacramento, California; and Window Rock, Arizona.

## Construction

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in lands; preparation of lands for farming; and architectural and engineering services by contract, [\$67,250,000], \$55,875,000 to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

(25 U.S.C. 13, 450, 465, 631-640; Public Law 97-394, making appropriations for the Department of the Interior and Related Agencies 1983.)

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
CONSTRUCTION

Programming and Financing (in thousands of dollars)

Identification Code 14-2301-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
Direct Program:			
1. Buildings and utilities.....	55,355	76,091	56,996
2. Irrigation systems.....	35,806	24,691	8,879
3. Land acquisition.....	---	1,167	---
Total direct program.....	91,161	101,949	65,875
Reimbursable Program:			
1. Buildings and utilities.....	351	500	500
2. Irrigation systems.....	32	1,500	1,500
Total reimbursable program.....	383	2,000	2,000
10.00 Total obligations.....	91,544	103,949	67,875
<u>Financing:</u>			
11.00 Offsetting collections from:			
Federal funds.....	-383	-2,000	-2,000
21.00 Unobligated balance available, Start of year.....	-61,232	-64,699	-30,000
24.00 Unobligated balance available, end of year.....	64,699	30,000	20,000
40.00 Budget Authority.....	94,628	67,250	55,875
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	91,161	101,949	65,875
72.40 Obligated balance, start of year.....	100,169	83,013	113,962
74.40 Obligated balance, end of year.....	-83,013	-113,962	-114,162
90.00 Outlays.....	108,317	71,000	65,675

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
CONSTRUCTION  
Object Classification (in thousands of dollars)

Identification Code 14-2301-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
<b>BUREAU OF INDIAN AFFAIRS</b>			
Direct Obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	2,093	1,816	1,935
11.3 Other than full-time permanent.....	644	160	171
11.5 Other personnel compensation.....	232	263	278
11.9 Total personnel compensation.....	<u>2,969</u>	<u>2,239</u>	<u>2,384</u>
Personnel benefits:			
12.1 Civilian.....	276	211	225
21.0 Travel and transportation of persons..	22	150	150
22.0 Transportation of things.....	98	160	160
23.2 Communications, utilities & other rent	62	165	165
24.0 Printing and reproduction.....	26	25	25
25.0 Other services.....	43,583	28,350	20,361
26.0 Supplies and materials.....	1,395	5,000	5,000
31.0 Equipment.....	2,154	2,000	2,000
32.0 Lands and structures.....	36,794	56,272	35,405
99.0 Subtotal, direct obligations.....	<u>87,379</u>	<u>94,572</u>	<u>65,875</u>
Reimbursable Obligations:			
25.0 Other Services.....	<u>351</u>	<u>2,000</u>	<u>2,000</u>
<b>ALLOCATION TO BUREAU OF RECLAMATION</b>			
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	1,421	319	---
11.3 Other than full-time permanent.....	50	---	---
11.5 Other personnel compensation.....	36	9	---
11.8 Special personal services payment.....	3	---	---
11.9 Total personnel compensation.....	<u>1,510</u>	<u>328</u>	<u>---</u>
Civilian:			
12.1 Personnel benefits:.....	140	42	---
21.0 Travel and transportation of persons..	54	25	---
22.0 Transportation of things.....	67	50	---
23.0 Communications, utilities & other rent	168	126	---
24.0 Printing and reproduction.....	4	1	---
25.0 Other services.....	226	968	---
26.0 Supplies and materials.....	85	48	---
31.0 Equipment.....	19	7	---
32.0 Lands and structures.....	1,509	5,782	---
99.0 Subtotal, direct obligations, allocation account.....	<u>3,782</u>	<u>7,377</u>	<u>---</u>
Reimbursable obligations:			
25.0 Other services.....	32	---	---
99.9 Total obligations.....	91,544	103,949	67,875

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 CONSTRUCTION  
 Personnel Summary (in thousands of dollars)

Identification Code 14-2301-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
<b>BUREAU OF INDIAN AFFAIRS</b>			
Direct:			
Total no. of full-time permanent positions.	77	77	77
Total compensable workyears:			
Full-time equivalent employment.....	84	87	87
Full-time equiv. overtime & holiday hrs..	12	12	12
Average ES salary.....	\$58,500	\$63,800	\$63,800
Average GS grade.....	7.78	7.78	7.80
Average GS salary.....	\$18,882	\$19,071	\$19,262
Average salary of ungraded positions	<u>\$20,093</u>	<u>\$20,294</u>	<u>\$20,497</u>
Reimbursable:			
Total compensable workyears:			
Full-time equivalent employment.....	3	---	---
Average GS grade.....	7.78	---	---
Average GS salary.....	<u>\$18,882</u>	<u>---</u>	<u>---</u>
 <b>ALLOCATION TO BUREAU OF RECLAMATION</b>			
Total no. of full-time permanent positions.	75	---	---
Total compensable work years:			
Full-time equivalent employment.....	49	---	---
Full-time equiv. overtime & holiday hrs..	1	---	---
Average ES salary.....	\$58,500	---	---
Average GS grade.....	7.8	---	---
Average GS salary.....	\$18,882	---	---
Average salary of ungraded positions.....	<u>\$20,093</u>	<u>---</u>	<u>---</u>

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

JUSTIFICATION OF CHANGES - ROAD CONSTRUCTION

Appropriation..... \$ 4,000,000  
 Unobligated balance from prior years..... 1,000,000  
 Total, Available for Obligation..... \$ 5,000,000

Decreases:

Road Construction..... \$39,585,000  
 Subtotal..... -0-

Increases:

Road Construction..... \$ 4,000,000  
 Budget Estimate 1984..... \$ 4,000,000

Analysis by Activity

Activity	Appropriation 1982	Estimated Appropriation 1983	1983 FTE-T	1984		Budget Estimate 1984		Change FTE
				Budget Estimate	1984 FTE-T	Computed With Appropriation 1983		
Road Construction	\$47,160,000	\$43,585,000	665	\$4,000,000	60	-0-		-605

Justification of Program and Performance

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Activity: Road Construction

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(Dollar Amounts in Thousands)

	1983 Appropriation <u>to Date</u>	FY 1984 <u>Estimate</u>	Inc. (+) or Dec. (-)
Program Total: (\$)	43,585	\$4,000	-39,585
(FTE-T)	(665)	(60)	-(605)
<b>Distribution:</b>			
Tribal Priority Projects	33,161	0	-33,161
Bridge Rehab/Rebuilding	3,986	0	-3,986
Housing Access Roads	2,848	0	-2,848
Program/Supervision	3,590	4,000	+410

Authorization: 25 U.S.C. 13, (The Snyder Act of November 2, 1921) is the basic authority under which the Secretary provides services (including road construction) to Federally recognized Indians. 25 U.S.C. 318a, authorizes material, equipment, supervision and engineering...in survey, improvement, construction... of Indian reservation roads....

Objective: To upgrade and improve 26,000 miles of public roads and 750 bridges serving Indian reservations.

Program Justification: Beginning in Fiscal Year 1983, funding for planning and construction of Indian reservation road projects is provided from the Highway Trust Fund. In FY 1983 the BIA funding includes \$43,585,000 appropriated under the Snyder Act and \$75,000,000 in contract authority allocated from the Highway Trust Fund under the Federal Lands Highway Program of the Department of Transportation. In FY 1984, all construction projects will be under contract authority of the Highway Trust Fund. The BIA request in the Interior Department budget is limited to program supervision. At the Area level, this includes program planning and monitoring activities not directly identified with a particular construction project, such as budgeting; assisting Agencies with personnel problems; monitoring activities necessary for FHWA program overview (speed limit enforcement, road maintenance levels, axle load restrictions, etc); and support of tribal participation in setting of project priorities. The Area level work will be done primarily by program managers, usually engineers, with clerical and technical support.

Increase or Decrease for 1984:

All project funds (\$100,000,000) are included in the FY 1984 allocation of contract authority from the Federal Lands Highway Program, Department of Transportation, and are deleted from the BIA budget in FY 1984. The \$410,000 increase in program supervision will be used to assure Area Office capability to supervise the increased Indian road construction program.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Road Construction

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13), and the Act of May 26, 1928 (45 Stat. 750; 25 U.S.C. 318 [\$43,585,000] \$4,000,000 to remain available until expended.

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
ROAD CONSTRUCTION

Program and Financing (in thousands of dollars)

14-2364-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
Direct program:			
Indian road system.....	49,370	45,446	4,000
Reimbursable program:			
Indian road system.....	0	600	900
<hr/>			
10.00 Total obligations.....	49,370	46,046	4,900
<u>Financing:</u>			
14.00 Offsetting collections from: non-Federal sources.....	72	-600	-900
21.40 Unobligated balance available, start of year.....	-4,143	-1,861	-0-
24.40 Unobligated balance available, end of year.....	1,861	-0-	-0-
<hr/>			
40.00 Budget authority(Appropriation)	47,160	43,585	4,000
<hr/>			
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	49,442	45,446	4,000
72.40 Obligated balance, start of year.	29,962	32,146	33,267
74.40 Obligated balance, end of year.	-32,146	-33,267	-7,267
90.00 Outlays.....	47,258	44,325	30,000
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ROAD CONSTRUCTION

Object Classification (in thousands of dollars)

14-2364-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
BUREAU OF INDIAN AFFAIRS			
Direct Obligations:			
Personnel compensation:			
11.1 Full-time permanent.....	7,992	8,748	1,091
11.3 Other than full-time permanent....	2,520	3,008	0
11.5 Other personnel compensation.....	728	585	50
11.8 Special personal services payment.....	20	18	2
11.9 Total personnel compensation.....	11,260	12,359	1,143
12.1 Personnel benefits: Civilian.....	1,004	1,057	98
13.0 Benefits for former Employees.....	18	-	-
21.0 Travel and transportation of persons.....	462	475	370
22.0 Transportation of things.....	752	1,000	50
23.2 Commun., utilities other rent.....	454	1,650	300
24.0 Printing and reproduction.....	70	70	39
25.0 Other services.....	24,234	19,335	1,800
26.0 Supplies and materials.....	4,000	2,000	100
31.0 Equipment.....	1,000	500	100
32.0 Lands and structures.....	4,500	5,000	
41.0 Grants, subsidies, and contributions.....		---	---
42.0 Insurance claims indemnities.....	3	---	---
44.0 Refunds.....		---	---
92.0 Undistributed US. obligations.....		---	---
99.0 Subtotal, direct obligations,	47,757	43,446	4,000
Reimbursable Obligations:			
25.0 Other services.....	0	600	900
Total obligations, Bureau of Indian Affairs.....	47,757	44,046	4,900
ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION			
Personnel compensation:			
11.1 Full-time permanent.....	71	148	---
11.3 Other than full-time permanent....	---	0	---
11.5 Other personnel compensation.....	---	3	---
11.9 Total personnel compensation.....	71	151	---

ROAD CONSTRUCTION

Object Classification (in thousands of dollars) (Continued)

14-2364-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
12.1 Personnel benefits, Civilian.....	7	18	---
21.0 Travel and transportation of persons.....	39	80	---
22.0 Transportation of things.....	7	3	---
23.2 Comm, Util, other rent.....	7	10	---
24.0 Printing and Reproduction.....	3	2	---
25.0 Other services.....	41	155	---
26.0 Supplies and Materials.....	6	12	---
32.0 Lands and structures.....	853	1,569	---
41.0 Grant, Subsidies, Contrib.....	579	0	---
99.9 Subtotal, obligations, allocation account.....	<u>1,613</u>	<u>2,000</u>	---
99.9 Total obligations.....	49,370	46,046	---
Obligations are distributed as follows:			
Bureau of Indian Affairs.....	47,757	44,046	4,900
Federal Highway Administration, Department of Transportation.....	1,613	2,000	---

ROAD CONSTRUCTION  
PERSONNEL SUMMARY

14-2364-0-1-452	1982 Actual	1983 Estimate	1984 Estimate
BUREAU OF INDIAN AFFAIRS			
Total number of full-time permanent positions.....	392	452	60
Total compensable workyears:			
Full-time equivalent employment.....	516	665	60
Full-time equivalent of overtime and holiday hours.....	27	27	2
Average ES salary.....	\$58,500	\$63,800	\$63,800
Average GS grade.....	7.78	7.78	7.80
Average GS salary.....	\$18,882	\$19,071	\$19,262
Average salary of ungraded position.	<u>\$20,093</u>	<u>\$20,294</u>	<u>\$20,497</u>

ALLOCATION TO FEDERAL HIGHWAY ADMINISTRATION,  
DEPARTMENT OF TRANSPORTATION

Total number of full-time permanent positions.....	7	6	0
Total compensable workyears:			
Full-time equivalent employment.....	7	6	0
Average GS grade.....	8.74	8.74	0
Average GS salary.....	\$22,474	\$22,626	0

DEPARTMENT OF THE INTERIOR  
 Bureau Of Indian Affairs  
 14-2202-0-1-806

EASTERN INDIAN LAND CLAIMS SETTLEMENT FUND

Program and Performance

Payments were made to the fund as authorized by P.L. 93-395, September 30, 1978, for settlement of certain Indian land claims in the State of Rhode Island.

Analysis of Changes in Requirements  
 (in thousands of dollars)

	<u>Budget Authority</u>	<u>Outlays</u>
FY 1982 Total.....	-0-	600
<u>Decreases</u>		
Program decreases:		
Rhode Island Indian Land Claims Settlement Fund....	<u>-0-</u>	<u>-243</u>
FY 1982 Total.....	-0-	357
<u>Decreases</u>		
Program decreases:		
Rhode Island Indian Land Claims Settlement Fund....	<u>-0-</u>	<u>-357</u>
FY 1983 Total.....	-0-	-0-

DEPARTMENT OF THE INTERIOR  
 Bureau of Indian Affairs  
 EASTERN INDIAN LAND CLAIMS SETTLEMENT FUND

Program and Financing (in thousands of dollars)

Identification Code: 14-2202-0-1-806	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
1. Rhode Island Indian claims settle- ment fund.....	600	357	---
10.00 Total obligations (obj class 320)	600	357	---
<u>Financing:</u>			
21.40 Unobligated balance available, start of year.....	-957	-357	---
24.40 Unobligated balance available, end of year.....	<u>357</u>	<u>---</u>	<u>---</u>
40.00 Budget Authority.....	---	---	---
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	600	357	---
72.40 Obligated balance, start of year	---	---	---
74.40 Obligated balance, end of year..	<u>---</u>	<u>---</u>	<u>---</u>
90.00 Outlays.....	600	357	---

## ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed [258] 240, passenger carrying motor vehicles of which [178] 170, shall be for replacement only, which may be used for the transportation of Indians; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452), the Act of August 3, 1956 (25 U.S.C. 309), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions: Provided, That no part of any appropriations to the Bureau of Indian Affairs shall be available to continue academic and residential programs of the Chilocco, Seneca, and Fort Sill boarding schools, Oklahoma; and Stewart boarding school, Nevada; Provided further, That no part of any appropriation to the Bureau of Indian Affairs shall be available to continue academic and residential programs at Wahpeton boarding school North Dakota, Concho boarding school, Oklahoma, Intermountain boarding school, Utah and Mount Edgecumbe boarding school in Alaska after June 30, 1983: Provided further, That no part of any appropriation to the Bureau of Indian Affairs shall be used to subject the transportation of school children to any limitation on travel or transportation expenditures for Federal employees: [Provided further, That notwithstanding any other provision of law: The following may be cited as the "Indian Claims Limitation Act of 1982.".]

[Sec. 2 (a) Subsection (a) of section 2415 of title 28, United States Code, is amended by striking "after December 31, 1982" in the third proviso and inserting in lieu the following: "sixty days after the date of publication of the list required by section 4(c) of the Indian claims Act of 1982: Provided, That, for those claims that are on either of the two lists published pursuant to the Indian claims Act of 1982, any right or action shall be barred unless the complaint is filed within (1) one year after the Secretary of the Interior has published in the Federal Register a notice rejecting such claim or (2) three years after the date the Secretary of the Interior has submitted legislation or legislative report to Congress to resolve such claim".]

[(b) Subsection (b) of section 2415 of title 28, United States Code, is amended by striking "December 31, 1983" in the proviso and inserting in lieu the following: "sixty days after the date of the publication of the list required by section 4(c) of the Indian Claims Act of 1982: Provided, That, for those claims that are on either of the two lists published pursuant to the Indian Claims Act of 1982, any right of action shall be barred unless the complaint is filed with (1) one year after the Secretary of the Interior has published in the Federal Register a notice rejecting such claim or (2) three years after the Secretary of the Interior has submitted legislation or legislative report to Congress to resolve such claim".]

[Sec. 3. (a) Within ninety days after the enactment of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall publish in the Federal Register a list of all claims accruing to any tribe, band or group of Indians or individual Indian on or before July 18, 1966, which have at any time been identified by or submitted to the Secretary under the "Statute of Limitation Project" undertaken by the Department of the Interior and which, but for the provisions of this Act, would be barred by the provisions of section 2415 of title 28, United States Code: Provided, That the Secretary shall have the discretion to exclude from such list any matter which was erroneously identified as a claim and which has no legal merit whatsoever.]

[(b) Such list shall group the claims on a reservation-by-reservation, tribe-by-tribe, or State-by-State basis, as appropriate, and shall state the nature and geographic location of each claim and only such other additional information as may be needed to identify specifically such claims.]

[(c) Within thirty days after the publication of this list, the Secretary shall provide a copy of the Indian Claims Limitation Act of 1982 and a copy of the Federal Register containing this list, or such parts as may be pertinent, to each Indian tribe, band or group whose rights or the rights of whose members could be affected by the provisions of section 2415 of title 28, United States Code.]

[Sec. 4. (a) Any tribe, band or group of Indians or any individual Indian shall have one hundred and eighty days after the date of the publication in the Federal Register of the list provided for in section 3 of this Act to submit to the Secretary any additional specific claim or claims which such tribe, band or group of Indians or individual Indian believes may be affected by section 2415 of title 28, United States Code, and desires to have considered for litigation or legislation by the United States.]

[(b) Any such claim submitted to the Secretary shall be accompanied by a statement identifying the nature of the claim, the date when the right of action allegedly accrued, the names of the potential plaintiffs and defendants, if known, and such other information needed to identify and evaluate such claim.]

[(c) Not more than thirty days after the expiration of the one hundred and eighty day period provided for in subsection (a) of this section, the Secretary shall publish in the Federal Register a list containing the additional claims submitted during such period: Provided, That the Secretary shall have the discretion to exclude from such list any matter which has not been sufficiently identified as a claim.]

[Sec. 5. (a) Any right of action shall be barred sixty days after the date of the publication of the list required by section 4(c) of this Act for those pre-1966 claims which, but for the provisions of this Act, would have been barred by section 2415 of title 28, United States Code, unless such claims are included on either of the lists required by section 3 or 4(c) of this Act.]

[(b) If the Secretary decides to reject for litigation any of the claims or groups or categories of claims contained on either of the lists required by section 3 or 4(c) of this act, he shall send a report to the appropriate tribe, band, or group of Indians, whose rights or the rights of whose members could be affected by such rejection, advising them of his decision. The report shall identify the nature and geographic location of each rejected claim and the name of the potential plaintiffs and defendants if they are known or can be reasonably ascertained and shall, briefly, state the reasons why such claim or claims were rejected for litigation. Where the Secretary knows or can reasonably ascertain the identity of any of the potential individual Indian plaintiffs and their present addresses, he shall provide them with written notice of such rejection. Upon the request of any Indian claimant, the Secretary shall, without undue delay, provide to such claimant any nonprivileged research materials or evidence gathered by the United States in the documentation of such claim.]

[(c) The Secretary, as soon as possible after providing the report required by subsection (b) of this section, shall publish a notice in the Federal Register identifying the claims covered in such report. With respect to any claim covered by such report, any right of action shall be barred unless the complaint is filed within one year after the date of publication in the Federal Register.]

[Sec. 6. (a) If the Secretary determines that any claim or claims contained in either of the lists as provided in sections 3 or 4(c) of this Act is not appropriate for litigation, but determines that such claims may be appropriately resolved by legislation, he shall submit to the Congress legislation to resolve such claims or shall submit to Congress a report setting out options for legislative resolution of such claims.]

[(b) Any right of action on claims covered by such legislation or report shall be barred unless the complaint is filed within 3 years after the date of submission of such legislation or legislative report to Congress.]

(25 U.S.C. 123; Public law 97-394; making appropriations for the Department of the Interior and related agencies, 1983.)

JUSTIFICATION

Appropriation: Operation of Indian Programs

Activity: Education

Vehicles: School buses-various sizes, 5 new buses and 25 for replacement required in the Aberdeen Area where GSA motor pool is not available.

Activity: Indian Services

Subactivity: Law Enforcement

Vehicles: Sedans fully equipped for police work, 65 new vehicles and 145 for replacement, at a cost of \$9,000 per vehicle, required to carry out law enforcement throughout the Bureau.

Summary of Proposed Acquisition of Certain Types of Vehicles, FY 1984

<u>Type</u>	<u>Total</u>	<u>New</u>	<u>Replacement</u>
Police	210	65	145
School Buses	30	5	25
	<u>240</u>	<u>70</u>	<u>170</u>

Justification of Proposed Language Changes

1. "Administrative Provisions"

Addition: "Provided further, That no part of any appropriation to the Bureau of Indian Affairs shall be available to continue academic and residential programs at Wahpeton boarding school, North Dakota, Concho boarding school, Oklahoma, Intermountain boarding school, Utah, and Mount Edgecumbe boarding school in Alaska after June 30, 1983:"

The change (underlined above) is proposed to reflect tentative proposals to close Wahpeton, Concho, and Intermountain boarding schools at the end of the 1982-1983 school year and supports the concept of streamlining and consolidating the off-reservation boarding school system as well as allowing elementary children to reside with their families or in their home communities. Consultation on the proposals will continue with the affected tribes, and the Bureau will review any new data presented including the data from the General Accounting Office concerning off-reservation boarding schools.

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
FY 1984

Program Title: Miscellaneous Appropriations

Description:

1. Claims and Treaty Obligations - \$1,000,000
  - A. Fulfilling treaties with the Senecas of New York - \$6,000.

This money is to be paid in equal shares to members of the Seneca Nation as provided by the Act of February 19, 1831 (4 Stat. 442).
  - B. Fulfilling treaties with Six Nations of New York - \$4,500.

The Six Nations comprise the Senecas, Tonawanda Band of Senecas, Tuscarora, Onondaga, Oneida and Cayuga Tribes. This money is allocated as follows: \$2,700 to the New York Indians for the purchase of dress goods and \$1,800 is distributed per capita to the Oneida Indians under the jurisdiction of the Great Lakes Agency, Wisconsin, as provided by the Act of November 11, 1794.
  - C. Fulfilling treaties with the Pawnees, Oklahoma - \$30,000.

This money is distributed per capita to the Pawnees as provided by Article 2, as amended in the treaty of September 24, 1857.
  - D. Payments to Indians of the Sioux Reservation - \$959,500.

This is an annual charge against the general fund of the Treasury, the amount being indefinite until individual applications for payments are made and approved. Sioux benefits were originally for articles of farming equipment and stock or, more commonly today, the commuted cash value of such articles. The approved commuted value of an individual share of Sioux benefits for FY 1982 is \$3,751.15. The legal authority for these payments is found in the Act of March 2, 1889, section 17 (25 Stat. 894); Act of June 10, 1896 (29 Stat. 334); and the Act of June 21, 1906 (34 Stat. 326).
2. Operation and Maintenance, Indian Irrigation Systems - \$14,500,000.

Funds obtained from the collection of assessments against water users on various projects are deposited in the Treasury to the credit of the respective projects. Funds are used for such purposes as annual cleaning of canals and laterals to remove silt, moss and weed growth; repair and replacement of water control structures; operation and maintenance of reservoirs, dams and pumping plants, including the purchase of electrical energy; payment to other irrigation systems on Indian lands included and benefited; repair of flood damage; etc. The various projects located on Indian reservations are thus maintained in good operation, permitting the facilities constructed by the Government to be utilized by the Indian and non-Indian landowners within the project who depend upon proper operation and maintenance of the projects for irrigation farming and subsistence. The policy for administering Indian irrigation projects is based on the assessment rates for the various projects on actual costs.
3. Power System, Indian Irrigation Projects - \$19,800,000.

Funds are obtained from earned revenue deposited in the Treasury and credited to the respective projects. Funds are used for the operation and maintenance of two hydrogenerating plants; a diesel power generating plant; transmission lines; distribution systems and pumping plants for the use of

the project irrigation system; the purchase of power for resale and for all necessary expenses for operation of power systems on an actual cost basis. The project power systems primary purpose is to furnish electrical energy to the projects for irrigation and drainage pumping and also furnish energy to mining and milling properties, public utilities and domestic consumers on the project proper, in nearby towns and villages, and in outlying farming areas. The energy supplied by these projects (San Carlos, Colorado River and Flat-head Indian Reservations) in many instances is the only source of electrical energy available to the consumers. Approximately 445 million kilowatt-hours are transmitted over all projects. Annually the distributary systems serve approximately 25,500 domestic and commercial consumers.

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

14-9925-0-2-999

MISCELLANEOUS APPROPRIATIONS

1. Claims and Treaty Obligations. Payments are made to fulfill treaty obligations with the Senecas of New York (Act of February 19, 1831), the Six Nations of New York (Act of November 11, 1794), and the Pawnees of Oklahoma (the treaty of September 24, 1857); and benefit claims to the Sioux Indians (Acts of March 2, 1889, June 10, 1896, and June 21, 1906).
2. Operation and Maintenance, Indian Irrigation Systems. Revenues derived from charges for operation and maintenance of Indian irrigation projects are used to defray in part the cost of operating and maintaining these projects (60 Stat. 895).
3. Power Systems, Indian Irrigation Projects. Revenues collected from the sale of electric power by the Colorado River, Flathead, and San Carlos power systems are used to operate and maintain these systems (60 Stat. 895; 65 Stat. 254).
4. Lummi Diking Project. Revenues which have been collected for construction, operation, and maintenance, including interest and penalties, against each tract of land within the project which, as of September 17, 1965, was in a trust or restricted status and are available to pay assessments made against each such tract. (Act of September 17, 1965, Public Law 89-190, 79 Stat. 821.)

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 MISCELLANEOUS APPROPRIATIONS  
 Program and Financing (in thousands of dollars)

Identification Code 14-9925-0-2-999	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
1. Claims and Treaty Obligations.....	1,281	1,000	1,000
2. Operation and maintenance, Indian Irrigation Systems.....	12,338	13,500	14,500
3. Power Systems Indian Irrigation Projects.....	<u>20,804</u>	<u>18,800</u>	<u>19,800</u>
10.00 Total Obligations.....	34,423	33,300	35,300
<u>Financing:</u>			
21.00 Unobligated balance available, start of year (-).....	-12,662	-12,616	-13,316
24.00 Unobligated balance available, end of year.....	<u>12,616</u>	<u>13,316</u>	<u>12,016</u>
60.00 Budget authority appropriation (Permanent, indefinite).....	34,377	34,000	34,000
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	34,423	33,300	35,300
72.40 Obligated balance, start of year.....	3,407	4,238	5,538
74.40 Obligated balance, end of year.....	<u>-4,238</u>	<u>-5,538</u>	<u>-8,838</u>
90.00 Outlays.....	33,592	32,000	32,000
<u>Distribution of budget authority by account:</u>			
1. Claims and Treaty Obligations.....	1,281	1,000	1,000
2. Operation and maintenance, Indian Irrigation Systems.....	13,270	14,400	14,400
3. Power Systems, Indian Irrigation Projects.....	<u>19,826</u>	<u>18,600</u>	<u>18,600</u>
Total.....	34,377	34,000	34,000
<u>Distribution of outlays by account:</u>			
1. Claims and Treaty Obligations.....	1,278	1,000	1,000
2. Operation and Maintenance, Indian Irrigation Systems.....	12,481	12,000	12,000
3. Power Systems, Indian Irrigation Projects.....	19,829	19,000	19,000
4. Lummi diking project.....	<u>4</u>	<u>---</u>	<u>---</u>
Total.....	33,592	32,000	32,000

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 MISCELLANEOUS APPROPRIATIONS  
 Object Classification (in thousands of dollars)

Identification Code	14-9925-0-2-999	1982 Actual	1983 Estimate	1984 Estimate
Direct obligations:				
11.1	Full-time permanent.....	8,747	9,443	9,769
11.3	Other than full-time positions.....	1,133	591	631
11.5	Other personnel compensation.....	430	328	346
	Total personnel compensation.....	<u>10,310</u>	<u>10,362</u>	<u>10,746</u>
12.1	Personnel Benefits: Civilian.....	1,029	1,023	1,061
21.0	Travel & transportation of persons..	60	75	80
22.0	Transportation of things.....	472	419	480
23.2	Communications, utilities, and other rent.....	11,123	10,610	11,900
24.0	Printing and reproduction.....	15	22	31
25.0	Other services.....	5,459	5,867	5,600
26.0	Supplies and materials.....	3,979	3,910	4,200
31.0	Equipment.....	507	612	687
32.0	Lands and structures.....	197	200	315
41.0	Grants, subsidies and contributions.	<u>1,272</u>	<u>200</u>	<u>200</u>
99.0	Total obligations.....	34,423	33,300	35,300

Personnel Summary

Total number of permanent positions.....	469	469	455
Total compensable work years.....	484	497	497
Full-time equiv. of overtime and holiday hours.....	(15)	(15)	(15)
Average ES Salary.....	\$58,500	\$63,800	\$63,800
Average GS Grade.....	7.78	7.78	7.80
Average GS Salary.....	\$18,882	\$19,071	\$19,262
Average salary of ungraded positions.....	\$20,093	\$20,294	\$20,497

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
REVOLVING FUND FOR LOANS

	Budget Authority			
	FY 1982 Available	FY 1983 Available	FY 1984 Estimate	Change ----- 1984 Compared with 1983
Revolving Fund for Loans	-0-	-0-	-0-	-0-

Revolving Fund for Loans: FY 1983, -0-; FY 1984, -0-; no change, no positions.

Proposal:

No new funds were requested in fiscal year 1983 and none are requested in 1984. Of the additional \$50 million authorized by the Indian Financing Act of 1974 (PL 93-262) for this fund, \$9 million remains to be appropriated. It is anticipated that the FY 1984 loan program will amount to \$13.0 million which will be funded from the unobligated fund balance available at the start of the 1984 fiscal year and from collections into the fund during the year.

PROGRAM DESCRIPTION

The Indian Revolving Loan Fund was established as three separate funds by the Indian Reorganization Act and other related acts with periodic appropriations of \$26.5 million over a period of years. Of this amount, \$4.1 million was used for administrative purposes, leaving \$22.4 million available for lending purposes. The Indian Financing Act of 1974 (PL 93-262) combined these funds into one fund and authorized an additional appropriation of \$50 million for the fund, bringing to \$76.5 million the total authorization of the fund. Since 1975, \$78.2 million has been loaned from the fund. A total of 59 new tribal enterprises were started at an average cost of \$427,670. A breakdown by Area and purpose is included in Table I.

The FY 1984 program will provide \$13.0 million in direct loans to Indian tribes and organizations, individual Indians, and Alaskan Natives for economic development purposes; and loans to tribes for relending to tribal members through their credit programs. In addition, the program will include funding for loans for expert assistance to assist tribes in the preparation and trial of claims pending before the Court of Claims.

Over the history of the program, \$154.0 million has been loaned and \$3.1 million of principal written off, about 2.1 percent of total loans. A \$5 million loan was transferred from another fund. In addition, \$34.1 million of interest has been collected from the program. As of Sept. 30, 1982, outstanding loans totaled \$85.1 million. Delinquent payments totaled \$12.6 million, about 15% of loans outstanding. This includes \$6.3 million of loans made to Southeast Alaska Native communities for the fishing industry. A negotiated settlement has been reached regarding two of these borrowers and action is underway to settle the remaining delinquencies.

SUMMARY OF ACTIVITY - REVOLVING FUND FOR LOANS

BUREAU OF INDIAN AFFAIRS  
THROUGH SEPT 30, 1982

	<u>Collections</u>			<u>Loans</u>	
	<u>Loaned</u>	<u>Principal</u>	<u>Interest</u>	<u>Cancelled</u>	<u>Out- Standing</u>
Through Sept. 30, 1981	\$152,582,316	\$67,577,926	\$29,528,093	\$3,083,812	<u>\$81,920,578</u>
FY 1982	<u>7,184,947</u>	<u>3,942,090</u>	<u>4,524,836</u>	<u>66,063</u>	
Through Sept. 30, 1982	159,767,263	71,520,016	34,052,929	3,149,875	85,097,372
Cumulative	<hr/> <hr/>				

Comparison of Fund Balances  
FY 1981 and FY 1982

	<u>General Fund</u>	<u>Expert Assistance</u>	<u>Total</u>
Through Sept. 30, 1981	<u>\$13,589,739</u>	<u>\$2,128,067</u>	<u>\$15,717,806</u>
Through Sept. 30, 1982	<u>14,771,460</u>	<u>2,178,234</u>	<u>16,949,694</u>

TABLE I

REVOLVING FUND FOR LOANS  
Funds allotted to Areas by Purpose  
Selected data for FY 1975-1982  
(\$Thousands)

<u>Area</u>	<u>Relending</u>	<u>Tribal Enterprises New</u>	<u>Existing</u>	<u>Land</u>	<u>Cooperatives &amp; Industrial</u>	<u>Credit Associations</u>	<u>Direct to Individuals</u>	<u>Total</u>
Aberdeen	\$5,625.0	\$4,289.9	\$2,327.6	\$1,445.0			\$1,592.2	\$15,279.7
Albuquerque	900.0	3,633.8	4,301.0				2,109.0	10,943.8
Anadarko		1,150.7	467.6	840.7			514.8	2,973.8
Billings	2,965.0		380.0	1,168.0			702.0	5,215.0
Eastern	310.0	775.0						1,085.0
Juneau	1,215.0	1,000.0	1,332.6		\$1,590.0	\$300.0		5,437.6
Minneapolis	500.0	2,458.1	2,307.2	90.0			340.3	5,695.6
Muskogee		1,175.0	429.9			1,460.0	1,260.9	4,325.8
Navajo		2,700.0						2,700.0
Phoenix	1,250.0	4,318.0	5,445.0	190.0		200.0	525.0	11,928.0
Portland	1,125.0	3,622.0	4,040.2	892.2	13.6**		2,136.1	11,829.1
Sacramento		110.0					753.5	863.5
Totals	\$13,890.0	\$25,232.5*	\$21,031.1	\$4,625.9	\$1,603.6	\$1,960.0	\$9,933.8	\$78,276.9

\* 59 new Tribal Enterprises were started at an average cost of \$427,670

\*\*\$13,600 for industrial at Portland

## REVOLVING FUND FOR LOANS

### Program and Performance

This fund, established by the Indian Financing Act of 1974, provides a source of financing for Indians who cannot borrow from other Government credit agencies or from ordinary commercial lenders because of their low economic status, isolated geographic location, lack of bankable security or other reasons. Loans are made to tribes and other Indian organizations for relending to individual members and groups of members, and to finance tribal business enterprise. Loans are also made to tribes for use by them in obtaining expert assistance to prepare and argue claims pending before the Court of Claims. Direct loans are made for any purpose that will promote the economic development of the borrower, including loans for education purposes.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

REVOLVING FUND FOR LOANS

During fiscal year [1983] 1984, and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed [\$19,970,000] \$13,075,000.

(Public Law 97-394, making appropriations for the Department of the Interior and Related Agencies, 1983.)

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
REVOLVING FUND FOR LOANS

Program and Financing (in thousands of dollars)

14-4409-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
Capital investment: Direct loans	5,395	19,970	13,075
10.00 Total obligations (object class 33.0)	5,395	19,970	13,075
<u>Financing:</u>			
Offsetting collections from: Non-Federal sources:			
14.00 Collections of loans.....	-3,918	-4,500	-5,100
14.00 Revenues.....	-4,510	-4,650	-4,800
21.98 Unobligated balance available, start of year: Fund balance.....	-12,245	-15,278	-4,458
24.98 Unobligated balance available, end of year: Fund balance.....	15,278	4,458	1,283
39.00 <u>Budget authority</u>	---	---	---
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	-3,033	10,820	3,175
72.98 Obligated balance, start of year: Fund balance.....	3,472	1,671	3,300
74.98 Obligated balance, end of year: Fund balance.....	-1,671	-3,300	-2,170
90.00 Outlays	-1,232	9,191	4,305

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
REVOLVING FUND FOR LOANS

Status of Direct Loans (in thousands of dollars)

14-4409-0-3-452	1982 Actual	1983 Estimate	1984 Estimate	
<u>Position with respect to limitation on obligations:</u>				
1110	Limitation on obligations....	14,770	19,970	13,075
1151	Obligations incurred, gross Direct loans to the public ...	5,395	19,970	13,075
1190	Unused balance of limitation expiring .....	9,375	---	---
<u>Cumulative balance of direct loans outstanding:</u>				
1210	Outstanding, start of year....	84,771	85,139	92,867
1231	New loans: Disbursements for direct loans.....	3,725	16,670	14,205
1251	Recoveries: Repayments and prepayments.....	-3,918	-4,500	-5,100
1261	Adjustments: Write-offs for default.....	-25	-4,442	-3,000
1263	Other Adjustments <u>1/</u> .....	586	---	---
1290	Outstanding, end of year.....	85,139	92,867	98,972

1/ 1981 Undelivered orders

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
REVOLVING FUND FOR LOANS

Status of Direct Loans (in thousands of dollars)

14-4409-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Loan Program:</u>			
Revenue.....	4,510	4,650	4,800
Expense.....	-2,811	-2,000	-4,000
Net operating income, total	1,699	2,650	800

Financial Condition (in thousands of dollars)

	1981 <u>Actual</u>	1982 <u>Actual</u>	1983 <u>Estimate</u>	1984 <u>Estimate</u>
<u>Assets:</u>				
Fund balance with Treasury.....	15,718	16,949	7,758	3,453
Loans receivable, net.....	68,436	73,904	85,745	90,850
Other assets, net.....	5,000	---	---	---
Total assets.....	89,154	90,853	93,503	94,303
<u>Liabilities:</u>				
Selected liabilities, accounts payabl	3,472	1,671	3,300	2,170
<u>Government equity:</u>				
Unexpended budget authority:				
Unobligated balance.....	12,245	15,278	4,458	1,283
Invested capital.....	73,437	73,904	85,745	90,850
Total Government equity.....	85,682	89,182	90,203	92,133

Analysis of Changes in Government Equity:

<u>Paid in capital:</u>			
Opening balance.....	75,282	75,282	75,282
Closing balance.....	75,282	75,282	75,282
<u>Retained income:</u>			
Opening balance.....	13,872	15,571	18,221
Transactions: Net operating income...	1,699	2,650	800
Closing balance.....	15,571	18,221	19,021
Total Government equity (end of year).....	90,853	93,503	94,303

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

14-4320-0-3-452

Liquidation of Hoonah Housing Project Revolving Fund

Program and Performance

This fund was transferred from the Housing and Home Finance Agency to the Secretary of the Interior under the provisions of Public Law 85-806. The Secretary uses the funds transferred from the Housing and Home Finance Agency, along with any other revenues that may be received from the Hoonah housing project, for the purpose of liquidating this project in accordance with the provisions of the law. All outstanding loans are expected to be liquidated in 1983.

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 LIQUIDATION OF HOONAH HOUSING PROJECT REVOLVING FUND  
 Program and Financing (in thousands of dollars)

14-4320-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
Program by activities:			
10.00 Total Obligations (Object Class 42.0).....	5	---	---
Financing:			
21.98 Unobligated balance available, start of year: Fund balance.....	-32	-27	-27
24.98 Unobligated balance available, end of year: Fund balance.....	27	27	27
39.00 Budget authority.....	---	---	---
Relation of obligations to outlays:			
71.00 Obligations incurred, net.....	5	---	---
90.00 Outlays .....	5	---	---

Status of Direct Loans (in thousands of dollars)

Cumulative balance of direct loans outstanding:			
1210 Outstanding, start of year.....	101	101	---
1263 Other adjustments, net <u>1</u> /.....	---	-101	---
1290 Outstanding, end of year.....	101	---	---

BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND

Activity	FY 1982 Available	FY 1983 Available	FY 1984 Estimate	Change----- FY 1984 Compared with FY 1983
Loan Guaranty and Insurance Program	-0-	-0-	-0-	-0-

Loan Guaranty and  
Insurance Program: Fiscal Year 1983, -0-; Fiscal Year 1984, -0-; no change,  
no positions.

Proposal:

Under current legislation, appropriations were made to the fund of \$20.0 million, \$10.0 million, and \$15.0 million in 1975, 1976, and 1977, respectively, making a total of \$45.0 million available for administration of this program. For fiscal year 1984, collections made during 1984 will be used to provide funds for interest subsidies, reserves for losses, costs associated with defaulted loans, and for technical assistance. Collections during Fiscal Year 1984 are estimated at \$400,000 from premiums on guaranteed loans, and \$1.5 million on sale of assets acquired in liquidation, making an estimated \$1.9 million available for programming. This, in addition to carryover funds from the previous year, will support a guaranteed loan program of \$19.0 million for Fiscal Year 1984 using an interest subsidy rate not to exceed 25% of the face of the loan with a 20-year repayment. The reserve for losses account will exceed \$12 million.

PROGRAM DESCRIPTION

The fund was established pursuant to the Indian Financing Act of 1974. The purpose of the fund is to provide access to private money sources through guarantying or insuring loans which otherwise would not be available to Indian tribes and organizations, individual Indians, and Alaskan Natives for economic development purposes. To encourage the use of private capital, an interest subsidy is paid from the fund on loans guaranteed or insured to reduce the Indian borrower's rate of interest to the rate charged on direct loans from the Revolving Fund for Loans.

The first loan guaranty under the program was approved in August 1975. As of Sept. 30, 1982, guarantees were approved on 130 new loans totaling \$104.0 million. The breakdown by fiscal year and current status is shown in Table I. Of the total loans, 39 were to Indian tribes, 35 to Indian-owned corporations, 56 to Indian individuals. To date, 151 lenders have been approved for participation in the program. As of Sept. 30, 1982, 54 loans are outstanding, 28 have been paid off, and 37 loans have been defaulted. The total pay out for the defaulted loans, including interest, is \$5.1 million, or 4.9% of the total dollar amount guaranteed to date. This information is broken down by area in Table II.

Because of the high commercial lending interest rates and resulting high interest subsidy rates, we were unable to realize any significant leverage from the guarantee program. Considering a 6 1/2 percent subsidy and 10-year term loan, our leverage is only one program dollar to \$1.80 loan value. With the subsidy rate steadily climbing to as much 12%, a limitation of 25% of the face amount of the loan was placed on the amount of subsidy to be paid per loan.

TABLE I

LOAN GUARANTY ACTIVITY  
 FY 1976 - 1982  
 as of 9-30-82

<u>Loans Guaranteed</u>							
<u>Year</u>	<u>No.</u>	<u>Amount</u>	<u>Defaulted</u>	<u>Repaid</u>	<u>Cancel</u>	<u>Modified</u>	<u>Current</u>
1976	55	\$14,854,439	19	16	4	3	13
1977	46	42,872,532					
+ Mod. <u>1/</u>	3	333,211	13	8	7	3	18
*1978	11	8,215,875					
+ Mod. <u>1/</u>	3	129,585	4	3			7
1979	5	1,640,000					
Additional loan <u>2/</u>		624	1				4
1980	1	8,500,000					
Additional loan <u>2/</u>		10,094					1
1981	1	1,000,000		1			0
1982	11	27,620,000					11
Total							
	136	\$105,176,360	37	28	11	6	54
NEW	(130)						
MOD.	( 6) <u>1/</u>						

\*The Loan Guaranty Program was closed November 1978 to new loan applications. Loan applications on hand and commitments to guarantee \$36 million in new loans required reserving all available program funds. In FY 1981 the program was re-opened, since two proposed guarantees for large loans were cancelled.

1/ Six original loans were completely modified and additional funds advanced.

2/ Funds were added to existing loans for protective advances.

TABLE II

Status of Loan Guarantees as of 9/30/82

Area	No.	Face Amount	Current		Defaulted		Paid Off		Cancelled	
			No.	Amount	No.	Amount	No.	Amount	No.	Amount
Aberdeen	11	1,899,113	4	627,435	2	372,530	4	642,000	1	2,900
Albuquerque	16	8,121,114	7	6,552,612	4	906,569	3	183,292	2	81,000
Anadarko	20	2,222,585	5	806,301	10	491,977	4	501,255	1	179,130
Billings	10	4,703,000	5	3,394,436	2	222,131	2	74,000	1	250,000
Eastern	13	5,590,900	7	2,151,895	5	2,476,057	1	150,000		129,291
Juneau	7	36,910,000	5	34,681,598				11,618	2	1,098,382
Minneapolis	11	1,190,815	4	334,266	4	68,710	3	455,751		
Muskogee	12	1,576,485	2	102,590	5	850,214	3	193,370	2	245,570
Navajo	3	35,200,000	2	27,000,000					1	8,200,000
Phoenix	5	1,889,154	1	225,092	1	13,308	2	1,035,154	1	230,000
Portland	19	4,517,992	11	1,861,446	2	70,828	6	2,065,892		
Sacramento	3	213,400	1	77,244	2	110,072				
Totals	120	104,034,558	54	77,814,915	37	5,582,396	28	5,312,332	11	10,416,273
(Percent)		(100)*		(74.8)		(5.4)		(5.1)		(10.1)

\*\$4,908,642 in repayments or 4.6% needs to be included in order to total 100.0%

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DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND  
Summary of Program and Funding Data  
(\$ in million)

Funds Available for Reserves and Costs:	FY 1982	FY 1983	FY 1984
1 Fund Balance, start of year	18.9	14.4	7.4
2 Collections	.3	.4	.4
3 Liquidation of assets	.1	3.0	1.5
4 Total Available	<u>19.3</u>	<u>17.8</u>	<u>9.3</u>
Less:			
5 Net Reserves for loan losses (line 22 less 23)	-3.3	-.4	-1.8
6 Reserves for interest subsidies (line 14)	-.7	-7.8	-4.7
7 Mgmt & tech assistance cost	-.3	-.4	-.3
8 Defaulted loan costs	-	-.1	-.1
9 Purchase of default loans	-.6	-2.3	-2.4
10 Cancelled obligations	-	.6	-
11 Total needs for reserve and costs	<u>-4.9</u>	<u>-10.4</u>	<u>-9.3</u>
12 Fund Balance, end of year	14.4	7.4	0.0

Status of Reserves and Obligations:

<u>For Interest Subsidies:</u>			
13 Obligated balance, start of year	7.8	7.2	13.1
14 Obligated during year	.7	7.8	4.7
15 Expenditures	-1.3	-1.9	-2.6
16 Obligated balance, end of year	<u>7.2</u>	<u>13.1</u>	<u>15.2</u>
<u>For Protective Advances:</u>			
17 Obligated Balance, start of year	.9	.9	.2
18 Expenditures	-	-.1	-.2
19 Cancelled	-	-.6	-
20 Obligated Balance, end of year	<u>.9</u>	<u>.2</u>	<u>0</u>
<u>For Defaults (Administrative commitments):</u>			
21 Reserve for losses, start of year	7.2	10.5	10.9
22 Reserved during year	3.7	2.2	2.6
23 Reduction to the reserve during year	-.4	-1.8	-.8
24 Balance, end of year	<u>10.5</u>	<u>10.9</u>	<u>12.7</u>
Total reserves and obligations	<u>18.6</u>	<u>24.2</u>	<u>27.9</u>

Total Program Outlay:

Mgt & tech assistance (line 7)	.3	.4	.3
Defaulted loan costs (line 8)	-	.1	.1
Purchase of default loans (line 9)	.6	2.3	2.4
Interest subsidy expenditures (line 15)	1.3	1.9	2.6
Protective advances (line 18)	-	.1	.2
Total Outlay	<u>2.2</u>	<u>4.8</u>	<u>5.6</u>
Less collections (line 2)	-.3	-.4	-.4
Less liquidation of assets (line 3)	-.1	-3.0	-1.5
Net Total Program Outlay	<u>1.8</u>	<u>1.4</u>	<u>3.7</u>

Guaranteed Loans:

Outstanding, start of year	53.4	77.8	79.9
New loans during year	27.6	15.8	19.0
Repayments during year	-2.5	-11.5	-3.2
Defaults during year	-.7	-2.2	-2.3
Outstanding, end of year	<u>77.8</u>	<u>79.9</u>	<u>93.4</u>

## INDIAN LOAN GUARANTY AND INSURANCE FUND

### Program and Performance

The fund was established pursuant to the Indian Financing Act of 1974. The purpose of the fund is to support a program of guarantying or insuring loans made by commercial lending institutions to Indians and to tribes and other Indian organizations for economic development purposes. An interest subsidy is paid from the fund on loans guaranteed or insured to reduce the Indian borrower's rate of interest. The purpose of this program is to provide an incentive to the private lending sector to make loans to Indians which would not otherwise be made.

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND

During fiscal year [1983] 1984, and within the resources and authority available, total commitments to guarantee loans may be made only to the extent that the total loan principal, any part of which is to be guaranteed, shall not exceed [\$15,800,000] \$19,000,000.

(Public Law 97-394, making appropriations for the Department of the Interior and Related Agencies, 1983)

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND

Program and Financing (in thousands of dollars)			
14-4410-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Program by activities:</u>			
Operating expenses:			
1. Interest subsidy expense.....	767	7,200	4,700
2. Technical assistance.....	343	400	300
Total operating expenses	1,110	7,600	5,000
Capital investment.....	588	2,230	2,295
10.00 Total obligations	1,698	9,830	7,295
<u>Financing:</u>			
Offsetting collections from Non-Federal sources:			
14.00 Premiums on guaranteed and insured loans.....	-265	-350	-400
14.00 Repayments and prepayments.....	-28	-500	-500
14.00 Liquidation of assets.....	-108	-2,500	-1,000
21.98 Unobligated balance available, start of year.....	-26,152	-24,855	-18,375
24.98 Unobligated balance available, end of year.....	24,855	18,375	12,980
39.00 <u>Budget Authority</u>	---	---	---
<u>Relation of obligations to outlays:</u>			
71.00 Obligations incurred, net.....	1,297	6,480	5,395
72.98 Obligated balance, start of year: Fund balance.....	8,655	8,103	13,200
74.98 Obligated balance, end of year	-8,103	-13,200	-14,900
90.00 Outlays.....	1,849	1,383	3,695

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 INDIAN LOAN GUARANTY AND INSURANCE FUND  
 Status of Direct Loans (in thousands of dollars)

14-4410-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Position with respect to limitation on obligations:</u>			
1110 Limitations on obligations.....	--	--	--
1130 Obligations exempt from limitation.....	620	2,300	2,490
1150 Obligations incurred, gross: Direct loans to the public...	620	2,300	2,490
<u>Cumulative balance of direct loans outstanding:</u>			
1210 Outstanding, start of year.....	5,135	5,100	3,246
1232 New loans:			
Disbursement for direct loans..	32	70	100
Disbursement for guarantee claims.....	588	2,230	2,390
Recoveries:			
1251 Repayments, prepayments.....	-28	-500	-500
1253 Other capital recoveries.....	-108	-2,500	-1,000
Adjustments:			
1261 Write-offs for default.....	-585	-1,377	-2,000
1263 Other adjustments, net <u>1/</u> .....	66	223	239
1290 Outstanding, end of year.....	5,100	3,246	2,475

1/ Unguaranteed portion of defaulted loans assigned to BIA by commercial lenders

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 INDIAN LOAN GUARANTY AND INSURANCE FUND  
 Status of Guaranteed Loans (in thousands of dollars) 1/

14-4410-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Position with respect to limitation on loan guarantees:</u>			
2111 Limitation on commitments:			
Loans by private lenders.....	30,700 <u>1/</u>	15,800	19,000
2151 New commitments made, gross:			
Loans by private lenders.....	27,620	15,800	19,000
2190 Unused balance of limitation, expiring.....	3,080	---	---
<u>Cumulative balance of guarantees outstanding:</u>			
2210 Outstanding, start of year.....	53,360	77,815	79,895
2231 Loans Guaranteed: New Loans.....	27,620	15,800	19,000
2250 Repayments and prepayments.....	-2,498	-11,490	-3,135
Adjustments:			
2261 Termination for default.....	-663	-2,230	-2,290
2263 Other adjustments, net <u>2/</u> .....	-4	---	---
2290 Outstanding, end of year.....	77,815	79,895	93,470
 <u>MEMORANDUM:</u>			
2299 U.S. contingent liability for guaranteed loans out- standing, end of year.....	70,034	71,906	84,033

1/ Amounts shown are based on the full principal amounts of loans that are partially guaranteed by the U.S. Government. The comparable amounts of limitations enacted on the basis of contingent liability is \$27,630 thousand in 1982.

2/ Guaranteed certificates cancelled.

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 INDIAN LOAN GUARANTY AND INSURANCE FUND  
 Revenue and Expense (in thousands of dollars)

14-4410-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
<u>Loan Guaranty and Insurance Fund</u>			
<u>Program:</u>			
Revenue.....	265	350	400
Expense.....	-1,539	-2,250	-2,900
Write-offs.....	-585	-1,377	-2,000
Net operating loss, total.....	-1,859	-3,277	-4,500

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND  
Financial Condition (in thousands of dollars)

	<u>1981</u> <u>Actual</u>	<u>1982</u> <u>Actual</u>	<u>1983</u> <u>Estimate</u>	<u>1984</u> <u>Estimate</u>
<u>Assets:</u>				
Fund balance with Treasury.....	34,806	32,958	31,575	27,880
Advances.....	78	54	---	---
Assets acquired through default.....	4,568	4,556	2,716	1,911
<b>Total assets.....</b>	<b>39,452</b>	<b>37,568</b>	<b>34,291</b>	<b>29,791</b>
<u>Liabilities:</u>				
Accounts payable.....	25	157	---	---
<b>Total Liabilities.....</b>	<b>25</b>	<b>157</b>	<b>---</b>	<b>---</b>
<u>Government equity:</u>				
Unexpended budget authority:				
Unobligated balance.....	26,152	24,855	18,375	12,980
Undelivered orders.....	8,630	8,000	13,200	14,900
Invested capital.....	4,645	4,556	2,716	1,911
<b>Total Government equity.....</b>	<b>39,427</b>	<b>37,411</b>	<b>34,291</b>	<b>29,791</b>
<u>Analysis of Changes in Government</u>				
<u>Equity:</u>				
Paid in capital:				
Opening balance.....		45,000	45,000	45,000
Closing balance.....		45,000	45,000	45,000
Retained income:				
Opening balance.....		-5,573	-7,432	-10,709
Transaction: Net oper. loss.....		-1,859	-3,277	-4,500
Closing balance.....		-7,432	-10,709	-15,209
<b>Total Government equity (end of year).....</b>		<b>37,568</b>	<b>34,291</b>	<b>29,791</b>

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
INDIAN LOAN GUARANTY AND INSURANCE FUND

Object Classification (in thousands of dollars)

14-4410-0-3-452	1982 Actual	1983 Estimate	1984 Estimate
25.0 Other services.....	343	400	300
33.0 Investments and loans.....	620	2,300	2,490
41.0 Grants, subsidies, and contributions	735	7,130	4,505
99.9 Total Obligations	1,698	9,830	7,295

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 TRUST FUNDS  
 14-9973-0-7-999

Analysis of Changes in Requirements  
 (in thousands of dollars)

	<u>Budget</u> <u>Authority</u>	<u>Outlays</u>
FY 1982 Total.....	511,202	425,537
 <u>Decreases</u>		
Program decreases:		
Alaska Native Fund .....	-8,230	-8,230
Other Trust.....	-4,786	-11,716
Miscellaneous Permanents (Tribal) .....	-13,880	-0-
 <u>Increases</u>		
Program increases:		
Direct Program.....	+999	+999
Advances to Indian Tribes.....	+6,710	+6,710
Miscellaneous Permanents (Tribal).....	-0-	+21,850
FY 1983 Total.....	492,015	435,150
 <u>Decreases</u>		
Program decreases:		
Direct Program .....	-1,000	-0-
Advances to Indian Tribes.....	-0-	-1,000
Other Trust.....	-0-	-281
Miscellaneous Permanents (Tribal).....	-7,800	-0-
 <u>Increases</u>		
Program increases:		
Direct Program.....	+1,000	+1,000
Miscellaneous Permanent (Tribal).....	-0-	+72,331
FY 1984 Total.....	484,215	507,200

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 ANNUAL DEFINITE AUTHORIZATION---TRIBAL FUNDS

Statement Relating to FY's 1982, 1983, & 1984 Programs

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1982 Appropriation.....	\$3,000,000
1983 Budget Estimate.....	3,000,000
Total Appropriation for 1983.....	3,000,000
Deduction: .....	-3,000,000
Additions: .....	+4,000,000
Total Estimate for 1984.....	<u>\$4,000,000</u>

Analysis of Annual Definite Authorization, Tribal Trust Funds, by Activity:

ACTIVITY/SUBACTIVITY	ACTUAL 1982	APPRO- PRIATION 1983	1984 Budget Estimate	Inc(+)/Dec(-) 1983 Compared w/1984
1. Education & Welfare Services \$	-0-	\$ -0-	\$ -0-	-0-
2. Resources Management	-0-	-0-	-0-	-0-
3. Construction & Land Acquisition	1,154,124	1,740,000	2,740,000	-0-
4. General Tribal Affairs	<u>846,853</u>	<u>1,260,000</u>	<u>1,260,000</u>	<u>-0-</u>
Total	<u>\$2,000,977</u>	<u>\$3,000,000</u>	<u>\$4,000,000</u>	<u>-0-</u>

TRUST FUNDS  
Highlight Statement

A. Tribal Funds

Tribal funds are deposited into a consolidated account in the U.S. Treasury pursuant to: (1) general or specific acts of Congress enacting the judgement awards of the Indian Claims Commission and the Court of Claims, and (2) Federal management of tribal real properties, the titles to which are held in trust for the tribes by the United States. Each of these two sources of funds contributes approximately 35% and 65%, respectively, of the tribal trust fund income. Approximately 300 Indian tribes, bands, or identifiable groups maintain funds in the U.S. Treasury account; these monies are separately identified and controlled in some 700 accounts by the Bureau of Indian Affairs (BIA).

Tribal funds are available to the respective tribal groups for various purposes, under various acts of Congress, and are subject to the provisions of tribal constitutions, bylaws, charters, and resolutions of the various tribes, bands, or groups. Tribal funds may be used for the conduct of tribal financial programs, enterprises, businesses, per capita payments and other tribal affairs.

The Act of October 19, 1973 (87 Stat. 466) provides general authority for the distribution of funds appropriated in satisfaction of judgements of the Indian Claims Commission and the Court of Claims, subject to certain conditions, including the development of a plan for the use of the funds. Funds derived from the management of tribal trust properties are available for tribal use in accordance with approved budgets under annual/definite, annual/indefinite, or permanent/indefinite authorizations.

Funds programmed under annual/definite authorizations are not otherwise available for expenditure without Congressional action and the \$4 million requested for fiscal year 1983 is to provide the Secretary of the Interior with expenditure authority for the implementation of programs for those tribes which are not sufficiently organized to be represented by a recognized governing body, or to permit disbursements through a Regional Disbursing Office when no other legislative authority exists. Expenditures made under this authority are individually made through the Treasury Regional Disbursing Offices, subject to the same regulations and procedures as appropriations from the general fund of the Treasury.

The annual/indefinite authorization in the Appropriation Act, under the heading Tribal Funds, provides the necessary authority, on an annual basis, for the Secretary of the Interior to withdraw from tribal accounts in the Treasury those funds needed to carry out programs designed by a particular tribe and approved by the Secretary for the conduct of tribal operations including but not limited to: management of tribal resources and other programs designated to improve the situation of the general membership. These funds are advanced to tribes for disbursement by Indian Services Special Disbursing Agents or by bonded tribal treasurers under plans of operation.

Funds programmed under permanent/indefinite authorization are made available under legislation which gives the Secretary of the Interior continuing authority to carry out the provisions of specific acts, and can be disbursed through either the Regional Disbursing Office or the Indian Service Special Disbursing Agents' accounts, or advanced to tribes for disbursement by their bonded tribal treasurers under approved plans of operation. These funds do not require annual approval by Congress but are reported annually in the budget schedule to give the Congress an opportunity to review the activity conducted under the authorities extended to the Secretary of the Interior.

## B. Plan of Work

No part of the funds contained in this estimate represents a charge upon the Federal Treasury. This item reflects the disbursement of funds to the credit of Indian tribes or bands under numerous special acts of Congress in compliance with the terms of the various trusts and for carrying out tribal programs recommended by the tribal governing bodies with the approval of the Assistant Secretary for Indian Affairs.

The budget schedule reflects under the Permanent Authorization disbursements from the tribal trust funds authorized by permanent legislation, and under the Annual and Indefinite Authorizations, amounts requested annually by the various tribes for carrying out various tribal activities.

The estimate, therefore, is restricted to the funds requested annually as required by section 27 of the Act of May 18, 1916 (39 Stat. 158).

## C. Other Trust Funds

Included in this category of "Other Trust Funds" are: 14X8563 "Funds Contributed for the Advancement of the Indian Race", which consists of contributions, donations, gifts, etc., to be used for the benefit of American Indians in accordance with the donors' wishes (82 Stat. 171); and 14X8060 "Bequest of George C. Edgeter, Relief of Indigent American Indians", which consists of a bequest, the principal of which is to be invested in U.S. Treasury bonds and notes and the interest is to be used for the relief of American Indians (82 Stat. 171).

Until recently, 14X8500 "Indian Moneys, Proceeds of Labor, Agencies and Schools" (IMPL) account was also included in this category. These funds represented miscellaneous revenues derived from agencies and schools which were deposited in a Federal trust fund and used to support agency functions and schools. In FY 1982 pursuant to P.L. 97-100, \$9.6 million of IMPL funds was authorized to offset a reduction in the Bureau's Operation of Indian Programs appropriation. P.L. 97-257, which amended P.L. 97-100, directed that no funds would be deposited in the IMPL account after September 30, 1982 and that the unobligated balance as of that date would be transferred to an escrow account. Therefore, all unobligated balances remaining in the IMPL account as of September 30, 1982 were transferred to account 14X6703 "IMPL Escrow Account, Pending Determination of Beneficiaries". There are no longer any funds in the IMPL account except those required to complete prior year business transactions.

## D. Alaska Native Fund

This fund includes appropriations from the U.S. Treasury made in satisfaction of Sec. 6(a)(1) of the "Alaska Native Claims Settlement Act" (P.L. 92-203, December 18, 1971) and interest earned thereon. The June 30, 1980 distribution of the Alaska Native Fund included an advance revenue payment from the State of Alaska which completed the \$500,000,000 revenue sharing limitation pursuant to Sections 6(a)(3) and 9 of the Alaska Native Claims Settlement Act. The final federal payment required to satisfy the \$462,500,000 limitation set forth in Sec. 6 (a)(1) was appropriated in FY 1981 and the final distribution to the Regional Corporations was made in December 1981.

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

Summary of Trust Fund Budget Authority

	<u>1982</u> <u>Actual</u>	<u>1983</u> <u>Estimate</u>	<u>1984</u> <u>Estimate</u>
A. Tribal Funds:			
1. Annual Definite Authorization	\$2,000,977	\$3,000,000	\$4,000,000
2. Annual Indefinite Authorization	53,289,764	60,000,000	59,000,000
3. Permanent Authorization	442,779,866	428,900,000	421,100,000
B. Indian Moneys, Proceeds of Labor, Agencies and Schools (Permanent Indefinite):	4,631,000	-0-	-0-
C. Other Trust Funds - (Permanent Indefinite):	270,000	115,000	115,000
D. Alaska Native Fund - (Permanent Indefinite):	8,230,000	-0-	-0-
	<hr/>	<hr/>	<hr/>
TOTAL	\$511,201,607	\$492,015,000	\$484,215,000

STATEMENTS OF RECEIPTS - IMPL (\$000)

<u>Category</u> <u>of receipt</u>	<u>FY 1982</u> <u>Actual</u>	<u>FY 1983</u> <u>Estimate</u>	<u>FY 1984</u> <u>Estimate</u>
Interest	4,572,000	-0-	-0-
Sale of Agri. Prod.	<u>59,000</u>	<u>-0-</u>	<u>-0-</u>
TOTAL	\$4,631,000	-0-	-0-

Tribal Funds--Annual Definite: Fiscal Year 1983, \$3,000,000; fiscal year 1984, \$4,000,000; plus \$1,000,000

STATUS OF PROGRAMS

Funds programmed under the annual definite authorization as shown on the following tabulation are to be used for various education and welfare programs, resources management, construction and land acquisition and general tribal affairs, including taxes and attorneys' fees. All amounts in the FY 1984 estimate have been requested by the Indian tribal groups except the sum of \$220,750 for miscellaneous tribes. The amount under miscellaneous tribes is requested to provide for additional tribal requests that are anticipated during the fiscal year.

COMPARATIVE STATEMENT OF ANNUAL DEFINITE AUTHORIZATIONS BY TRIBE

<u>STATE-AGENCY TRIBE</u>	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1984</u>
	<u>Actual</u>		
Arizona	---	695,000	695,000
Navajo	---	695,000	695,000
California	68,658	---	---
Agua Caliente	65,658	---	---
Hoopa Valley	3,000	---	---
Florida	29,506	---	---
Seminole	29,506	---	---
Idaho	47,450	---	---
Nez Perce	47,450	---	---
Maine	86,916	---	---
Penobscot	86,916	---	---
Minnesota	68,043	72,000	72,000
Red Lake	68,043	72,000	72,000
Montana	1,112,620	500,000	1,500,000
Crow	700,620	500,000	1,500,000
Fort Peck	412,000	---	---
Oklahoma	30,000	25,000	25,000
Choctaw	15,000	25,000	25,000
Creek	15,000	---	---
Washington	392,234	487,250	487,250
Colville	226,697	360,250	360,250
Yakima	165,537	127,000	127,000
Wyoming	165,550	1,000,000	1,000,000
Arapaho	---	500,000	500,000
Shoshone	165,550	500,000	500,000
Miscellaneous Tribes	-0-	220,750	220,750
Grand Total	\$2,000,977	3,000,000	4,000,000

IMPL FEDERAL TRUST FUNDS OBLIGATIONS

	<u>FY 82</u> <u>Actual</u>	<u>FY 1983</u> <u>Estimate</u>	<u>FY 1984</u> <u>Estimate</u>
Education	\$1,666.9	---	---
Indian Services	1,854.0	---	---
Econ. Dev. & Employ.	1,904.9	---	---
Trust Responsibilities	1,878.0	---	---
Nat. Resources Dev.	3,708.6	---	---
General Management and Facilities Operation	431.2	---	---
Executive Direction and Administration	149.5	---	---
IMPL Enterprises	948.3	---	---
Emergency or Disaster Work	1.4	---	---
	<u>12,542.8</u> =====	--- <u>1/</u> ---	---

1/ Pursuant to P.L. 97-100 and as amended by P.L. 97-257, directed that no new deposits would be made to the IMPL account and that all unobligated balances in this account as of September 30, 1982 have been transferred to account 14X6703 "IMPL Escrow Account -- Pending Determination of Ownership."

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

TRUST FUNDS

MISCELLANEOUS TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed [\$3,000,000] \$4,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391), including cash grants: Provided, That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary.

(25 U.S.C. 123; P.L. 97-394, Department of the Interior and Related Agencies Appropriation Act, 1983.)

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
TRUST FUNDS  
Program and Financing (in thousands of dollars)

Identification Code 14-9973-0-7-999	1982 Actual	1983 Estimate	1984 Estimate
<b>Program by activities:</b>			
1. Direct program (limitation) .....	2,001	3,000	4,000
2. Advance to Indian tribes (Indefinite Authorization) .....	53,290	60,000	59,000
3. Miscellaneous permanent .....	351,112	369,124	450,510
4. Other trust funds .....	12,930	850	109
5. Alaska Native fund .....	<u>8,230</u>	<u>-0-</u>	<u>-0-</u>
10.00 Total obligations .....	427,563	432,974	513,619
<b>Financing:</b>			
21.00 Unobligated balance available, start of year:			
Treasury balance .....	-676,526	-833,515	-892,556
U.S. Securities (par) .....	-408,497	-335,147	-335,147
24.00 Unobligated balance available, end of year:			
Treasury balance .....	833,515	892,556	863,152
U.S. Securities (par) .....	<u>335,147</u>	<u>335,147</u>	<u>335,147</u>
Budget authority .....	511,202	492,015	484,215
<b>Budget authority:</b>			
Current:			
40.00 Appropriation .....	2,001	3,000	4,000
Appropriation (indefinite) ....	53,290	60,000	59,000
Permanent:			
60.00 Appropriation (Alaska Native Fund--indefinite) .....	8,230	-0-	-0-
60.00 Appropriation (indefinite) ....	447,681	429,015	421,215
<b>Relation of obligations to outlays</b>			
71.00 Obligation incurred, net .....	427,563	432,974	513,619
72.40 Obligated balance, start of year	4,373	6,399	4,223
74.40 Obligated balance, end of year	<u>-6,399</u>	<u>-4,223</u>	<u>-10,642</u>
90.00 Outlays .....	425,537	435,150	507,200

DEPARTMENT OF THE INTERIOR  
 BUREAU OF INDIAN AFFAIRS  
 TRUST FUNDS  
 OBJECT CLASSIFICATION (in thousands of dollars)

Identification Code	14-9973-0-7-999	1982 Actual	1983 Estimate	1984 Estimate
Personnel compensation:				
11.1	Full-time permanent.....	4,368	366	395
11.3	Other than full-time permanent	617	48	53
11.5	Other personnel compensation..	222	43	47
11.8	Special pers. svcs. payments...	339	397	396
11.9	Total Pers. compensation....	<u>5,546</u>	<u>854</u>	<u>891</u>
Personnel Benefits:				
12.1	Civilian.....	317	222	232
13.0	Benefits for former personnel..	1	---	---
21.0	Travel and trans. of persons..	97	18	19
22.0	Transportation of things.....	547	7	8
23.2	Communications, utilities, and other rent.....	333	8	9
24.0	Printing and reproduction....	17	7	8
25.0	Other Services.....	104,735	100,889	108,947
26.0	Supplies and materials.....	1,364	206	216
31.0	Equipment.....	157	---	---
32.0	Lands and structures.....	817	802	1,842
42.0	Insurance claims & indemnities	12	---	---
44.0	Refunds.....	<u>313,620</u>	<u>329,961</u>	<u>401,447</u>
99.9	Total obligations.....	427,563	432,974	513,619

Personnel Summary

Total number of full-time permanent positions.....	16	20	20
Total compensable workyears:			
Full-time equivalent employment ...	17	23	23
Full-time equivalent of overtime and holiday hours .....	2	2	2
Average ES salary .....	58,500	63,800	63,800
Average GS grade .....	7.78	7.78	7.80
Average GS salary .....	18,882	19,071	19,262
Average salary of ungraded positions	20,093	20,294	20,497

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
CONSOLIDATED SCHEDULE OF PERMANENT POSTIONS

	1982 Actual	1983 Estimate	1984 Estimate
Executive level V.....	1	1	1
ES-6.....	1	1	1
ES-5.....		1	1
ES-4.....	4	4	4
ES-3.....		1	1
ES-2.....	3	5	5
ES-1.....	13	8	8
Subtotal.....	22	21	21
GS/GM-15.....	54	53	53
GS/GM-14.....	260	258	258
GS/GM-13.....	445	442	442
GS-12.....	946	943	943
GS-11.....	1,318	1,310	1,288
GS-10.....	44	44	44
GS-9.....	1,859	1,849	1,817
GS-8.....	124	124	124
GS-7.....	652	647	636
GS-6.....	595	592	582
GS-5.....	1,262	1,256	1,235
GS-4.....	1,902	1,893	1,861
GS-3.....	525	523	514
GS-2.....	29	28	27
Subtotal.....	10,015	9,962	9,824
Ungraded.....	3,373	3,360	3,279
Total permanent positions....	13,410	13,343	13,124
Unfilled positions, end of year.	-1,073	-1,069	-1,051
Total permanent employment, end of year.....	12,337	12,274	12,073

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Operation of Indian Programs

(Supplemental now requested, existing legislation)

For an additional amount "Operation of Indian Programs", \$14,000,000.

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
OPERATION OF INDIAN PROGRAMS

Program and Financing (in thousands of dollars)

14-2100-1-1-999	82 Actual	83 Estimate	84 Estimate
<u>Program by activities:</u>			
10.00 Firefighting and rehabilitation (costs - obligations).....	---	14,000	---
<u>Financing:</u>			
40.00 Budget authority (appropriation).....	---	14,000	---
<u>Relation of obligation to outlays:</u>			
71.00 Obligations incurred, net.....	---	14,000	---
90.00 Outlays.....	---	14,000	---
<u>Object Classification</u>			
<u>Personnel compensation:</u>			
11.8 Special personal services payments.....	---	8,277	---
<u>Personnel benefits:</u>			
12.1 Civilian.....	---	207	---
21.0 Travel and transportation of persons.....	---	507	---
23.2 Communications, utilities, and other rent.....	---	210	---
25.0 Other services.....	---	2,550	---
26.0 Supplies and materials.....	---	1,649	---
31.0 Equipment.....	---	600	---
99.0 Total direct obligations....	---	14,000	---

JUSTIFICATION

FIRE PRESUPPRESSION, SUPPRESSION, AND EMERGENCY REHABILITATION \$14,000,000

Need for Increase:

The estimate of \$14 million is required to cover cost of prevention, presuppression and suppression of fires on or threatening forest and range lands of Indian reservations, and the emergency rehabilitation of Indian forest and range lands that have been burned over by wildfires. The additional funds are required to cover anticipated obligations through fiscal year 1983, beyond the token appropriation of \$800,000.

Program Objectives:

The major objectives of this program are to maintain a state of preparedness to combat wildfires promptly and efficiently, and to restore productivity of burned over lands. To achieve these objectives, comprehensive programs of fire prevention, presuppression and suppression must be planned, organized trained for and vigorously executed. The proposed supplemental is required to cover the Bureau's cost of emergency prevention, presuppression and suppression of fires on or threatening forest and range lands on Indian reservations, and the emergency rehabilitation of Indian forest and range lands that have been burned over by wildfires. Obligations for these activities in total and for the last half of each of the past five fiscal years were as follows:

<u>Fiscal Year</u>	<u>Last Half Year Obligations</u>	<u>Total Obligations</u>
1977	\$ 5,837,522	\$7,719,922
1978	4,521,432	6,861,015
1979	5,368,935	7,868,935
1980	8,335,348	10,487,421
1981	10,972,990	13,719,632

The pattern of steadily increasing man-caused fire occurrence is expected to continue over the long term due to factors such as increasing accessibility due to expanded timber harvest and other road building activities, and more emphasis on outdoor recreation.

The following comparisons illustrate this trend:

	<u>Total Fires</u>	<u>Man-caused</u>	<u>Acres</u>
BIA 5 Year Average (1976-80)	2,387	1,758	82,288
BIA 1981 Fire Season	3,113 (+30%)	2,148 (+22%)	77,690 (-6%)

The balance of CY 1982 will probably produce average or slightly below average fire occurrence based upon available information.

Rehabilitation is necessary for lands which will not or have not naturally reseeded early enough to prevent soil erosion, loss of water-shed and other economic values. Rehabilitation of the lands also reduces noxious annual weeds and gases of the flash-fuel type which aggravate the fire hazard of the area. Costs of rehabilitating burned areas are substantially less if done promptly.

Obligations for fire prevention, presuppression and suppression for FY 1982 to August 27 are \$11,079,000. A total of \$7,986,000 of that has occurred just since April 1. It is estimated that obligations will be over \$14,000,000 by the end of the fiscal year. The fire season in almost all parts of the country during FY 1982 has so far been moderate, with most areas receiving slightly above average rainfall during the fire season. This has tended to reduce the number of fires and the size of those fires that did start. However, we now have a recent large fire on the Warm Springs Reservation in Oregon where obligations may exceed \$425,000. Since the last two years' experience indicates obligations near \$14,000,000 we estimate FY 1983 will be the same level and will require a supplemental of that amount. A comparison by categories of cost for FY 1982 and FY 1983 is provided below:

(Dollar amounts in Thousands)

	<u>Estimate FY 1982</u>	<u>Estimate FY 1983</u>
Fire Presuppression	\$ 7,750	\$ 9,600
Fire Suppression	5,000	3,800
Emergency Rehabilitation	<u>1,300</u>	<u>600</u>
Total	\$ 14,050	\$ 14,000